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Journal

of the

House of Representatives

of the

Territory of Nevada.

Third Session.

House of Representatives,
Carson, [illegible] 1864.

[illegible] the proclamation of the
[illegible] the third
[illegible] of [illegible]
[illegible] this day.

[illegible] House of [illegible] was called to
order [illegible] Clerk [illegible]
[illegible]

[illegible] Hon. [illegible] then administered the Oath
[illegible] House.

[illegible] called the following members
[illegible] Mr. [illegible] of [illegible] Mr.
[illegible] of [illegible] Mr. [illegible] of Esmeralda,
[illegible] of Humboldt, [illegible] of Church-
ill, [illegible] of Lander, [illegible] of [illegible] Mr.
[illegible] of Douglas, Mr. Gillespie of Storey, Mr. Heaton
of [illegible] of Esmeralda, Mr. [illegible] of Was-
hoe, [illegible] of Ormsby, Mr. McDonald of Lyon.

Mr Nelson of Story, Mr Simmons of Humboldt, Mr Stewart of Cromby, Mr Tennant of Lander, Mr Stanton of Churchill, Mr Unger of Story, and Mr Fitzpatrick of Ormsby were absent.

Mr Pulsifer of Washoe, Mr Gray of Esmeralda, Mr Hogan of Story, Mr Gore of Washoe, Mr Phillips of Story, Mr Dunn of Douglas.

On motion of Mr McDonald Mr Fisher was chosen Chairman pro tem.

On motion of Mr Dixon, M. E. Allen was nominated Clerk.

Mr Brumfield nominated C. H. Gregory.

On the 1st and ballot M. E. Allen was elected Clerk.

C. H. Gregory was unanimously elected Assistant Clerk.

Mr Stone and Mr Carson were nominated for Sergeant at Arms. Carson received 13 votes Mr Stone 7. Mr Carson was declared elected.

George Richards and Jeff Stewart were nominated for Page.

The first ballot Richards received 10 votes and Stewart 10. No choice.

The second ballot Stewart received 13 votes and Richards 7. Stewart was declared elected Page.

Mr Wm E. Dixon was chosen Fireman.

On motion of Mr Clagett, a Committee of three were appointed for the Chair on Credentials.

The Chair appointed Mr Clagett of Humboldt, Mr Brumfield of Ormsby, and Mr Barclay of Story as said Committee.

Mr Gillespie moved to adjourn one hour. Carried.

At 12 o'clock 45m being a recess of one hour, pursuant to adjournment the House was called to order at 1045 P.M.

On the roll being called the following members were present, Mr Barclay Mr Brumfield Mr Calder, Mr Clagett, Mr Curley, Mr Dias, Mr Mr Dixon, Mr Elliott, Mr Fisher, Mr Gillespie, Mr Gray, Mr Heaton, Mr Hess, Mr Hunter Mr-

Jones, Mr McDonald, Mr Nelson, Mr Phillipps, Mr Regua, Mr Simmons, Mr Stewart, Mr Tunnant, Mr Trask, Mr Ungar, present 23.

The first business in order was the report of the Committee on Credentials.

Your Committee on Credentials, beg leave to report, thus, We have examined the evidences of Election, of Gentlemen from the several Counties, and find the following persons, entitled to seats upon the floor of this House

Douglas County, Robert Fisher and James Dean. Esmeralda County, J. W. Balder, Jacob Hess and A. H. Gray. Humboldt County, W. H. Clagett, and A. J. Simmons. Lander County, E. C. Dixon and T. J. Tennent, Lyon and Churchill Counties, John McDonald, N. E. Trask, and B. Curler. Ormsby County, Wellington Stewart, W. H. Brumfield, and S. E. Jones. Story County, Warren Keaton, Wm M. Gillispie, A. H. Ungar, A. B. Elliott, Thomas Barclay, E. E. Phillipps, L. L. Regua, and John Nelson. Washoe County, D. E. Hunter, E. Babcock, and Hiram Good.

All of which is respectfully submitted.

Wm H. Clagett,
W. H. Brumfield,
Thomas Barclay.

Moved by Mr McDonald that the report be accepted, and the Committee discharged— carried.

Mr Dixon the report be adopted— carried.

Mr Dixon moved—That Judge Wright administer the oath of Office— carried.

Mr Hunter moved the oath be administered to all at the same time— carried.

Judge Wright administered the oath.

Mr McDonald moved to proceed to permanent organization— carried.

Mr Hunter moved to vote by ballot— carried.

The Chair announced the election of Speaker next in order.

Mr Gillispie moved—That two Tellers be appointed by the Chair.— carried.

The Chair appointed Mr McDonald, of Lyon and Mr Tennant of Lander Counties.

Mr Dixon nominated Mr Gillispie for Speaker.

Mr Elliott nominated Harrison Heaton.
Mr Bromfield nominated Mr Simmons.
Mr Gillispie moved that the ballots be deposited as the Roll was called. - Carried.

On the first ballot - The number of votes cast was 23. Necessary to a choice 12. Mr Gillispie received 8 votes Mr Heaton 7 Mr Simmons 7, and Mr McDonald 1.

The Chair announced no choice for Speaker.

Mr McDonald withdrew his name.

Second Ballot - Whole number of votes cast 23, necessary to a choice 12. Mr Gillispie received 7 Mr Heaton 5, Mr Simmons 10, and Mr Carter 1 vote.

The Chair announced no choice.

Mr Simmons moved the calling of the roll to be dispensed with - Carried.

Mr Carter announced he was not a candidate for Speaker.

Third Ballot - Whole number of votes cast 23, necessary to a choice 12, Mr Gillispie received 7 votes Mr Heaton 5, Mr Simmons 10. and Mr Stewart 1 vote

The Chair announced no choice for Speaker.

Mr Stewart announced he was not a candidate for Speaker.

Fourth Ballot, Whole number of votes cast 23. Necessary to a choice 12. Mr Gillispie received 6 Mr Heaton 7. Mr Simmons 9. and Mr Dixon one.

The Chair announced no choice for Speaker.

Mr Dixon announced he was not a candidate

Fifth Ballot - Number of votes cast 23. Necessary to a choice 12. Mr Gillispie received 5. Mr Heaton 10. Mr Simmons 7. and Mr Blagett one.

No choice for Speaker.

Mr Blagett announced he was not a candidate.

Sixth Ballot - Number of votes cast 23. Necessary to a choice 12. Mr Gillispie received 5. Mr Heaton 10. Mr Simmons 7. and Mr Balder one.

The Chair announced no choice for Speaker.

Mr Blagett moved to adjourn till 10 O'clock tomorrow

Mr McDonald moved to take a recess of one hour.

Mr Balder moved an amendment of one half hour.

Carried.

At 2:40 P.M. House took a recess of half an hour.

At 3:10 P.M. House called to order. The following members were present.

Mr Barclay. Mr Brumfield, Mr Calder. Mr Clagett. Mr Cutler. Mr Dean. Mr Dixson, Mr Elliott. Mr Fisher. Mr Gillespie. Mr Gove, Mr Heaton, Mr Hess. Mr Hewitt. Mr Jones. Mr McDonald, Mr Allen. Mr Phillips. Mr Simmons. Mr Stewart. Mr Simmons, Mr Steele. and Mr Unger. 23

Ballot in order was the Seventh Ballot for Speaker. Whole number of votes cast 23. Necessary to a choice 12. Mr Gillespie received 4. Mr Heaton 8. Mr Simmons 10. and Captain J. Hess one.

The Chair announced no choice for Speaker.

Eighth Ballot. Number of votes cast 23. necessary to a Choice 12. Mr Gillespie received 2, Mr Heaton 8. Mr Simmons 11. Mr Gove 1. Mr Brumfield one. No choice

Mr Brumfield announced he was not a candidate.

Ninth Ballot. Number of votes cast 23. necessary to a choice 12. Of which Gillespie received 2. Mr Heaton 7. Mr Simmons 13. Mr Barclay one.

The Chair announced, Mr Simmons elected Speaker of the House.

Mr Gillespie moved, The Election of Mr Simmons be declared unanimous. Carried.

Mr Gillespie moved the Chair appoint a committee of three to conduct the Speaker to the Chair. Carried.

The Chair appointed Mr Gillespie and Mr Heaton, a Committee.

The Speaker announced the next business in order was the Election of Clerk.

Mr Gillespie nominated M. E. Allen.

Mr Stewart nominated Mr Gregory.

Mr Unger moved the nominations be closed. Carried. Whole number of votes cast 23. of which Mr Allen received 12. Mr Gregory 11.

Mr Gillespie moved the Election of Mr Allen be declared unanimous. Carried.

Mr Hunter nominated A. McGregory Assistant Clerk.

Mr Clagett moved to vote by acclamation.— Carried.

Mr Gregory was unanimously elected.

The Speaker announced the next business in order, was the election of Sergeant at Arms:

Mr Fisher nominated A. S. Van Cott.

Mr Dixon nominated Hewitt Stowe.

Mr Brown, Ficlew nominated Thos Carson.

Mr Ames nominated John Harrington

Mr Barclay nominated Mr T. L. Murphy.

Mr Murphy declined.

Mr Curler moved the nominations be closed.— Carried.

First Ballot.— Whole number of votes cast 23. necessary to a choice 12. Of which Van Cott received 9. Stowe 4. Mr Carson 7. Mr Harrington 3. No choice.

Second Ballot. Whole number of votes cast 23. Of which Van Cott received 7. Mr Stowe 9. Mr Carson 4. and Harrington 3. No Choice.

Third Ballot.— Whole number of votes 23. necessary to a choice 12. Of which Van Cott received 8. Stowe 9. Carson, 12.

The Speaker announced Carson duly elected.

The Speaker announced the next business in order, was the election of Messenger:

Mr McDonald placed in nomination Mr Chas. Carter.

Mr Clagett nominated Louis Van Doren.

There being no other nominations proceeded to take the first ballot. Whole number of votes cast 23 necessary to a choice 12. Of which Charles Carter received 18. Louis Van Doren 5.

The Speaker announced Charles Carter duly elected.

The next business in order was the election of Foreman. Mr Gillespie nominated W. B. Skeen.

There being no other nominations, Mr McDonald moved to vote by acclamation.— Carried.

Mr Skeen was unanimously elected.

The next business in order was the election of Pages.

Mr Fisher nominated, Henry Bacon.
Mr Innes nominated, Aaron Dampton.
Mr Cagett nominated, Neil Stewart other
Mr Gillespie nominated, George Richards.
There being no other nominations, proceeded to take the first Ballot. Whole number of votes cast 23. Necessary to a choice 12.

Of which Henry Bacon received 5, Aaron Dampton 1, Neil Stewart Jr 9, Geo Richards 8, no choice

Second Ballot for Page.—Whole number of votes cast 23. necessary to a choice 12.

Of which Henry Bacon received 4, Neil Stewart 8, George Richards 11, no choice.

Third Ballot.— Whole number of votes 23. necessary to a choice 12.

Of which Henry Bacon received 1, Neil Stewart 8, George Richards 14. George Richards was declared duly elected.

Mr Brownfield moved to proceed to the election of Enrolling Clerk.

Mr Cagett moved an amendment. That the Enrolling Clerks be allowed only the per diem for the time actually in service. Mr Brownfield accepted the amendment.

Mr Gillespie offered the following substitute. Resolved that the Chief Clerk of the House, be and he is hereby empowered to appoint an Enrolling Clerk when he shall deem such necessary. Lost.

The vote being taken on the Motion as amended, the motion prevailed.

The nomination of Enrolling Clerk next in order.— Mr Hoeator nominated Mr A. G. Powell.

There being no other nomination, Mr Fisher moved Mr Powell be elected by acclimation. Motion prevailed and Powell was unanimously elected.

Mr McDonald moved to adjourn. Lost

Mr Gillespie offered the following resolution. Resolved that a Committee of three be appointed to report rules for the Government of the House.

Mr Phillipps moved the Resolution be adopted. Carried.

The Speaker appointed. Mr Gillespie Mr

Blagett and Mr Brumfield on said Committee.

Mr Gillespie moved that the officers be now sworn in.- Carried. Judge Wright was called upon and administered the oath.

Mr Fisher moved the Clerk inform the Council of the permanent organization of the House.

Mr Gillespie moved an amendment to include the Governor also, Amendment accepted and motion prevailed.

Mr Calder offered the following Resolution. Resolved that a Committee of three be appointed to act conjointly with a like Committee from the Council, and report a set of Joint Rules for the government of both Houses in the transaction of Legislative business. Adopted.

The Speaker,

Appointed Mr Caulder Mr Stewart and Mr Barclay on said Committee.

Mr Gillespie moved the rules of the last House be adopted, until otherwise ordered.- Carried.

Mr McDonald moved to adjourn until 10. Oclock Tomorrow. - Carried.

Second days Proceedings.

Wednesday Jany 13th. 1864
10. Oclock A.M.

Upon the roll being called the following were present.- and the following were absent.

Present Barclay Mr Brumfield, Mr Calder Mr Clagett. Mr Curler, Mr Dean. Mr Ellicott. Mr Fisher. Mr Gillespie, Mr Gove, Mr Heaton. Mr Hess. Mr Houston, Mr McDonald. Mr Nelson. Mr Phillipps. Mr Regan. Mr Simmons. Mr Stewart Mr Tennant. Mr Trask. and Mr Mugan. 22.

Absent. Mr Babcock. Mr Dixon. Mr Gray. Mr Jones. 4. Minutes read.

Mr Gillespie moved to strike out the word further before the word ordered, and substitute the word otherwise, so as to read "until otherwise ordered.

Mr Clagett. To place upon the minutes

the name Elliott instead of Blagett, Who nominated Louis Van Doren for Messenger.

Minutes corrected and approved.

The Speaker announced a Message from the Council. Message Read

Territory of Nevada.
Council Chamber,
January 13th 1864.

The Council have adopted the following Resolution.

Resolved that a Committee of two be appointed from the Council, and three from the House, to be directed to inform His Excellency the Governor, that the Legislative Assembly is now fully organized, and is ready to receive any Communications He may desire to make.

Respectfully,
O. P. S. Clark.
Sec Council

Mr Hunter moved, That the House concur.

Mr Gillespie moved the second reading.— Carried.

Mr Gillespie moved, a suspension of the Rules that the Resolution may be adopted.— Carried.

Mr Brumfield offered an amendment, Adding that the place of meeting of the Joint Convention, shall be in the District Court Room.

Mr Gillespie accepted the amendment.— Carried.

Judge Turner administered the oath of Office to Mr Hogue.

Mr Dixson moved, that a Copy of this Resolution be transmitted forthwith to the Council — Carried

Mr McDonald moved to take a recess until 12, M.

Mr Fisher moved.— That the Sergeant

at Arms, be instructed to furnish three daily Papers to each member.

Mr Stewart moved an amendment of five daily Papers to each. To be selected by the members.

Mr Phillipps moved an amendment of one daily Paper, to each member. To be selected by the members.

Mr Fisher accepted Mr Phillipps amendment.

Mr Stewarts amendment of five daily Papers prevailed, and was carried.

House adjourned at 10.30 A.M. to meet in Joint Convention in District Court-Room.

Pursuant to adjournment, the House was called to order at 12. O'clock M. in Joint Convention in the District Court Room.

On calling the roll the following members were present and the following Absent. Mr Barclay. Mr Brumfield. Mr Clagett. Mr. Curler, Mr Dixson. Mr Elliott. Mr Fisher. Mr Gillespie. Mr Gove. Mr Heaton Mr Hess Mr Hunter, Mr Jones, Mr McDonald. Mr Nelson Mr Phillipps. Mr Regua. Mr Simmons. Mr Stewart Mr Tennant. Mr Trask and Mr Mugan 22 Absent. Mr Babcock. Mr Calder. Mr Dean. Mr Gray. 4.

The Message was read the second time.

Mr Gillespie moved that the rules be suspended.— Carried.

Mr Hunter moved, That the House concur, and a Committee of three be appointed Carried.

Mr Hunter, Mr Gillespie, and Mr Heaton, were appointed said Committee.

Mr Gillespie declined, and Mr Dixson was appointed in stead.

Mr Tennant suggested, That new members be sworn in.

Mr Gillespie offered the following concurrent Resolution;

Resolved by the House, (the Council

concurring) That the House and Council meet at 12 o'clock A.M. in joint session, for the purpose of hearing the third annual message of his Excellency Governor Nye.

Resolved further (the Council concurring) that a copy of the foregoing Concurrent Resolution, be transmitted to his Excellency the Governor.

The President announced a quorum being present, the House ready for business.

His Excellency the Governor was then introduced, who delivered the following Message.

Governors Message.

Gentlemen of the Council and House of Representatives

The assembling of your honorable bodies under the provisions of the law fixing the day for your annual meeting, gives unmistakable evidence that another year with its history is added to the Territory and Nation. I congratulate you that the condition of both Territory and Nation have improved in their three times. The unparalleled progress of our Territory is attracting the attention of the world. Capital, as well as that of foreign nations, Capital which is ever vigilant, watchful and careful, has fixed its attention upon our domain, as the place for the safest and most profitable investments. Thrift always follows in the track of active capital.

Within the last year, large amounts have been invested in our Mines, and Quartz Mills, from the Eastern States of our Continent, where only small interest is realized for the use and forbearance of money; and when the profits which are sure to be realized from such investments, are known among capitalists in the great cities of the Atlantic States, the investments already made will be as the swallowing to the plentiful shower.

We can congratulate ourselves that the fields

of operations within our borders is as extensive and varied as the aggregate surplus of capital in the Old States could desire.

The almost daily discoveries of new mining districts, rivaling in richness the celebrated localities of Virginia and Gold Hill, give ample proof that the mineral resources of this Territory are, even at this day, comparatively unknown. Three years ago Virginia and Gold Hill were thought by many to possess the only really valuable and enduring mines of the Territory; and the Comstock lead on Lode to contain the only silver-bearing quartz in this country. The short time intervening has demonstrated that almost countless ledges are found in the various localities of our Territory, that promise as ample a yield of the precious ores as has heretofore been realized from the famous Comstock.

The mining districts have multiplied to such an extent that may preclude the possibility of enumeration while the claims located in each districts are so numerous as to make it an almost hopeless task to attempt to arrive at their number with any degree of certainty. New districts are constantly being created, and their numerous claims have ceased to attract attention. Look in whatever direction we may, we behold the "Prospector" upon the mountain side making his location; now we see the tunnel and the incline, then the mill, and the rich product of silver and gold. Turn your eye in every direction from the Capitol and its gaze upon mining regions fabulously rich.

If you look to the northeast, you first see Spring Valley with its rich indications, promising an early realization of the hopes and expectations of its discoverers. Pass along to the Silver City District, looking, as you go, at the American Flat District and soon you find yourself at Gold Hill (a most appropriate name) where, for the distance of miles, the noise and clatter of the mills and mines greet your ear. You then reach Virginia District where there seems to have been an extraordinary effort made to concentrate the richness of mineral wealth — and the effort proved perfectly successful —

Crossing at that point a deep — Canon or Ravine you reach Cedar Hill in which, if indications are not defective the labor already, and that hereafter to be expended, will be richly rewarded —

Following down the Cañon you pass through the Flowery District, rich in promise and as you are descending through that Mountain pass, turn your eye to the southwest, toward the flourishing town of Dayton, and you will see the Palmyra District, with its rapid developements, attractive for its richness in mineral, and the facilities for its reduction found in abundance in the surrounding country. Look east from where you reach the plain or desert, and you will see the Desert District just beginning to attract attention marvelously rich in promise and in facts. Continue eastward, and you will soon see the imperial Silver Hill range of mountains, filled with hidden treasure, waiting only development to astonish the world with its wealth. In each range of

mountains east, until you reach Reese River, is found fine mineral indications. There, again, we behold such deposits of mineral wealth — as was never before witnessed; Less than a year ago, there was not a house or a cabin, where now the flourishing towns of Austin and Clifton are seen as well as Big Creek and the surrounding towns and settlements, and a population second only to the justly famed County of Storey.

In the same range of mountains extending for more than one hundred and fifty miles North and south, there have been found ledges more promising than those first discovered which produced such an unparalleled growth to the towns of Austin and Clifton. I entertain no doubt that the further south that mountain is prospected, the richer it will be found, until it loses itself in the vast desert as you go toward the Colorado.

Still further east you pass in sight of the Smoky Valley District valuable for its rich promise; journeying still further on over mountain and plain you reach Ruby Valley, whose mountains give good promise of possessing wealth second to none now developed. Eastward still to the next range of mountains and in Egans Canon rich specimens of gold and silver bearing quartz are found, warranting the still further exploration of this promising and interesting district. We have now reached the vicinity of our Eastern Boundary, and must retrace our steps to Austin, and look northwest, and at the distance of about one hundred miles, we see the Yerum-

boldt range of mountains whose interior wealth is beyond calculation.
The developements already made in and upon those mountains warrant the conclusion that they are to be made in and upon those mountains warrant the conclusion that they are to be ranked among the richest of our mineral producing regions. Its extent north and south is about one hundred and twenty miles, and East and West about the same distance, covering an area of about four hundred and eighty square miles. Included within this area is to be found exhaustless beds of salt and nitre, necessary in the reduction of ores, and really providential in that location. There seems to be but two drawbacks to the prosperity of that region wood and water.
The latter is being overcome by the construction of a Canal from the Humboldt river, to run the vicinity of Humboldt City, in length about sixty six miles, and in capacity sufficient to supply that region with all that will be necessary for reducing purposes.
The deficiency of timber and lumber, will be greatly remedied by a supply from the Truckee river, which they soon hope to obtain. Coming back to this point and travelling North you again strike a rich mineral district on the Truckee river and as far as prospected, gives encouragement to those who are thus engaged to continue their labors. This section, if found to be rich in mineral, will possess many advantages over others, in water, wood, and timber, all of which can be obtained in abundance at small cost. Returning again, and go south, or east of south, you

strike the Walker River District, rich in its indications and yield, with plenty of wood and water convenient for reducing the ores. It needs no prophecy to predict for it a prosperous future. Still further along, in the same direction, about fifty miles, we reach the far famed Esmeralda Districts where actual results demonstrate that it is among the richest of the many existing mining Districts of this Territory; and still further South, until you reach the southern boundary of the Territory, new discoveries have been made, rivaling in richness many I have named.

In this glance at the different localities which rich discoveries of mineral wealth have been made, I have, no doubt overlooked many as deserving of notice as those I have here mentioned Such localities will not therefore feel themselves slighted by the omission.

In looking carefully over the topography of the Territory and the several localities of the mines thus far discovered, I am forcibly impressed with the absolute and imperative necessity of the construction of several railroads to connect the mines with wood, water, and timber, as each depends upon the other for successfull and profitable operation and market. The mines require when worked to any considerable extent, incalculable quantities of timber and of that character which is alone found on the western borders of the Territory, upon and at the base of the Sierra Nevada Mountain

Our mines are all mainly situated east of these mountains varying from fifteen to four Hundred

miles. The present mode of transportation by teams, and the character of the roads over which it has to be drawn necessarily makes it expensive to a degree beyond which persons of ordinary means can afford or command. The construction of railroads from the mines to timber and water, in my opinion would do more to facilitate the development of our Territory than any or all other means combined. It would reduce transportation one-half or three-fourths, thereby enabling men of comparatively small means to erect mills and open their mines, increasing in a wonderful degree the mineral productions of the Territory, relieving those distantly located from timber and water from a burthen most oppressive, and one to them and the country ruinous. For example take the locations of "Virginia and Gold" Hill to the mountains and the valleys of Carson Eagle and Washoe where both timber and water are abundant. Suppose a railroad was constructed connecting them and in operation, and the cost of transportation reduced one half on ores timber lumber and wood. It would save enough to mining companies alone in one year to half construct the road, upon the basis of the business now done, not calculating that the business would be more than doubled by this means of cheap and rapid intercourse.

This once done, and every mountain stream would be made subservient to milling purposes and the cars would load one way with timber, lumber, and wood, and the other with rich ores brought down for reduction thus furnishing constant

and profitable employment for the road. I candidly believe that if the mines and mills would make a donation sufficient to construct the road they would, in two years, be more than reimbursed for their outlay and in five years would derive a larger profit from their investment than from the same amount in-vested in any other way. If they are not inclined to do the whole work and realize the profits their from, then if they will make subscription to such work of sufficient amount to give an earnest of their desire to have the work completed, then any responsible Company can procure capital sufficient for its completion in the Eastern Cities where money can be obtained at greatly reduced rates of interest from what it can be on this coast.

I have chosen for the purpose of illustration the most expensive piece of road to construct in the Territory. In other place, but little less important, where the surface is more level, roads could be constructed much cheaper. When this policy is once adopted between any points where the two interests can be brought together, I have no doubt it will become the adopted means of transportation. From the Sierra Nevadas eastward to the Humboldt and Reese river mines and far beyond, in every direction the plains have a common level, and intersect each other at intervals when considered collectively, they form a vast plateau over which railroads may be constructed without difficulty to every mining district now known, or which may hereafter be discovered in those mountain ranges in which mineral wealth is found to exist. I recommend this subject to your Honorable Body with the hope that, if in your power, you will do something to inaugurate a system so much needed and required by the peculiarities of this Territory.

The mineral productions of the Territory are so rapidly increasing; our wants are so multiplied and hard to be supplied; the necessity for rail

road communication with California is every day more apparent. Its local advantages to us enough to warmly enlist us with favor, and induce us to aid in every possible way its construction. Its advantages would be felt by every class of our inhabitants, from the owners of our rich mines to the humblest laborer in their employ. It would reduce the price of every thing we eat, drink, or wear. With in, our mills would soon be numbered by thousands productions by hundreds of millions, instead of tens. If the enterprising company, now constructing the western branch of the great Pacific Railroad, are able to overcome the barriers of the Sierras, and reach the plain on this side the future of this Territory cannot be overdrawn by the liveliest imagination if left uncontrolled, in its wildest flights. In presenting the subject of railroad communication from the mountains on our western border to the different mining localities of this Territory with the abreviated description of the surface of the country over which they would pass, it may not be improper for me to say that the knowledge of the same is based upon personal observation, fully substantiated by careful observers, and made certain by the testimony of scientific men. I have deemed it proper to lay this subject before you in the manner I have, believing fully if the experiment is tried, even by the shortest of the proposed lines, it will demonstrate the propriety of the suggestions. In my last annual message, I called the attention of your predecessors to the fact that Congress had passed a law for the construction of a Pacific Railroad. The announcement of the passage of such a law, so liberal in its provisions, by a Government involved in a war of the most gigantic proportions at a time when our national existence (to a careful observer) was more than threatened; when the financial ability of the whole country was taxed to its utmost to raise means to preserve our nationality; struck us with surprise and foreign governments with wonder. The fact that it was done, proves beyond all question, the

wisdom and comprehensive statesmanship of the Administration who passed it. It gives evidence that those best calculated to know the nation's power and weakness had abiding confidence in its stability; that it was able not only to subdue, conquer, and crush the rebellion, but, at the same time go forward with this great national improvement which in effect, gives us as a people the control of the worlds Commerce or, at least makes it tributary to us. Time is the most important consideration in large commercial transactions, That mode of conveyance will be selected. That route chosen which is the safest, and most expeditious, without regard to cost of transportation, unless the difference is so great as to overbalance accruing interest between purchase and sale. Acting upon this wholesome rule of commercial astuteness, the road when completed, military also of the most valuable of the Eastern and Asiatic productions, from the western to the eastern shore of the Continent and from thence they will seek by the most rapid means of transportation, their several destinations, Beyond and above all this - its importance and influence upon us as a nation, cannot be overestimated. The fact is now established that we are hereafter to be one people and one government, possessing vitality and power sufficient to put down and control all intestine commotions, and guard, protect and defend our most distant frontiers and settlements. To do this the wise and prudent foresight of an intelligent and vigilant people, speaking through their representatives, adopted this plan of binding the extreme East and the extreme West of our Continent together with iron bands. So that if the foreign invader should land upon the Western Coast, the soldiers of the Atlantic States, could be quickly transported thither ward to drive them back. It will do away with the necessity of large standing armies, their place being supplied by the iron rail and locomotive. By the inauguration of this wonderful enterprise, you see

additional proof of the determination of the government to furnish all necessary facilities at whatever cost to protect itself and the people, wherever found within the bounds of our wide spread Continent. How kind, how fatherly how good must such a government be. How strong, how imperative the obligation to support and sustain it whether in prosperity or adversity. The mighty labor of construction is already commenced. The young, vigorous, giant of the West has already grappled with the mountain barriers. The mountain is being hewn down, the valleys filled up. Rough places being made smooth; the roadway made even; the structure placed on its bed. The shrill whistle of the engine is heard upon the track, its head is turned eastward on its journey to meet its coming brother, who is on its way westward on the plains of Nebraska and Kansas, panting with impatience for the greeting. I need not spend time to dilate upon the unspeakable benefits it will confer upon us; your own judgement will at once anticipate them all, when you reflect that its course lies across the whole extent of our fast settling Territory. When completed, we shall have an arterial life giving circulation. The increase of taxable property within Territory in the last year is highly satisfactory and gratifying. Last year the total amount was $9,072,300.05. This year it is more than $25,000,000 thus speaking in language not to be misunderstood, of the substantial prosperity of the Territory. Population has increased in a corresponding ratio, bringing with it the comforts of life, and the humanizing influences of family restraint. The financial condition of the Territory is as flattering as could be expected, under the circumstances. The total amount of the indebtedness of the Territory on the first day of January, was about One Hundred and twenty nine thousand dollars (129,000). of that amount nearly nineteen thousand dollars (19,000) is not payable until the fiscal years of 1864 and 1865, leaving the sum of One hundred and ten thousand dollars (110,000) as the present amount of indebtedness now due. To meet this debt, we have the general property tax, for the

past year amounting, as per estimate of the Treasurer to the sum of about ninety five thousand dollars ($95,000) the greater part of which, will probably be paid into the Treasury during the present month. This will leave a deficit for the past year of about fifteen thousand dollars ($15,000) which amount, together with the salaries of the several Territorial officers, and all appropriations of your Honorable bodies, must await payment until the collection of the taxes for the present fiscal year, which under our present revenue law can not be done for twelve months, The Territory having no other source of revenue than that derived from the general property tax. You will perceive from this statement, that the revenue for each year, is anticipated long before its receipt, and whilst the revenue is probably ample for all the expenses of the Territory; yet by keeping twelve months ahead of the receipts the credit of the Territory reaches a low point, and the necessary expenses of the Government are greatly increased in consequence. I may mention as an illustration of the matter, that the expense of supporting the Territorial Prison would certainly be reduced one-half if the same could be paid in cash, instead of the scrip or warrants of the Territory. To remedy this evil, I would call your attention to the recommendation of the Territorial Treasurer, in reference to the issuing of bonds of sufficient amount to meet the necessary wants of the several departments. I am clearly of the opinion that you will find it necessary to adopt his suggestion and provide means to conduct the affairs of the Government upon a cash basis.

There is no subject of such vital importance to the people of this Territory as the establishment and maintenance of our efficient system of free schools. It involves not only the intelligence and the happiness of the children and youth now acquiring an education, but also many of the material interests of the Country. Thoroughly disciplined and well educated minds are required in every department of usefulness. They are needed

in developing the vast resources of mineral wealth which a beneficent Providence has hoarded in our mountains. They are needed in shaping and perfecting all the civil and religious institutions of our newly organized Territory, in harmonizing the amassing elements of society, and in laying the foundation for future prosperity and excellence.

The report of the Superintendent of Public instruction, which I submit to your consideration, shows that a considerable degree of progress has been made. From this Report it appears that the system of Common Schools, as amended during the last Session of the Legislature, has been regularly organized in every County of the Territory, and there is generally a growing feeling of interest on the subject of Education. In that Report several defects are mentioned in the present School Law and amendments passed which I hope will receive your careful consideration. The fact that the law appropriating semi annually five per cent of all sums received as Territorial tax for school purposes, expires with the present fiscal year, demands your prompt attention. Unless it is renewed, the already inadequate provision for the support of our Public schools will be materially lessened.

The necessity of additional Legislation to prevent the almost universal misconstruction of the law imposing fines for Penal Offences is apparent. By the course Magistrates now pursue, criminals often escape merited punishment, and the School Fund, so much needed, remains more plundered. From the Report of the Territorial Superintendent, more than three fourths of all the children and youth in the Territory have no provision made for their education. It is therefore, of the greatest importance our Public Schools be more liberally sustained.

The necessity of this is widely felt by County Superintendents, teachers, parents and citizens, and all generally desire that the School Fund should

be greatly increased. In view of this fact, I recommend that, in addition to all the present sources for obtaining that fund, a law be passed assessing a direct tax of one tenth of one per cent. upon all taxable property in the Territory, for this purpose. So far as may be possible in the present infantile state of our public schools, I recommend the adoption of such measures as may speedily lead to the introduction of a system of graded schools, based upon the principle of merit scholarship.

Let the pupil be advanced from the Primary to the Intermediate and Higher departments, upon the actual merits of his attainments. As a system it should be compact, uniform and homogeneous. When special enactments are made for the benefit of any County or City, they should in no case come in conflict with any provision or requirement of the general laws, or be made subject to it, and really constitute a part of it. This will prevent confusion and give unity and strength to the whole system. The Legislature of 1861 passed a law, entitled, "An Act to establish a Seminary of learning in Carson City." The person selected by the founder of the Institution as Trustees, made and filed the requisite certificate in the Office of the Clerk of the District Court, stating their corporate name its objects &c, as required by law and transferred the property to Miss Hazia Clapp, a person in every way qualified by education and habits to take charge of such an Institution, and conduct it so as to insure success and make it in all respects, what it should be - to insure a thorough and complete edu-

canon. I understand that Miss Clapp has associated with her in the enterprise Mrs Cutler, one of the most accomplished and highly educated teachers of the Country, thereby making assurance doubly sure that the undertaking will be successful.

I commend the Institution to your protecting power, not doubting that it will receive at your hands such aid and encouragement as its wants.

The last Legislature incorporated an Agricultural, Mining, and Mechanical Society, under whose auspices an exhibition or fair was held in this place last Autumn. From the exhibition then made in each branch of the department designated in the Act, I entertain no doubt that it will prove of incalculable advantage to the Territory. The zeal, industry, and vigor displayed by those having it in charge, furnishes a guarantee of its success. The Agricultural portion of the exhibition was particularly gratifying, and was truly wonderful. Specimens of Wheat, Corn, Barley and Oats gave evidence that our valleys, when cultivated, will produce in abundance and sufficient to support a population much larger than that which we now have.

The exhibition of vegetables was still more surprising. In no portion of our country could it be excelled in quality, and the quantity produced per acre can no where be excelled, establishing the fact that our soil is peculiarly adapted to the branch of husbandry. By ordinary care, a large supply, and even a surplus of these articles can be produced over and above all that may be required for home consumption.

Let it once be known, as it ought in justice to be that our soil will produce-

as abundantly as our mines, and emigration will flow in upon us with great rapidity. The show of stock of all varieties was more than creditable to a country much older than ours, and would have astonished the stock growers of the old States, and caused them to wonder how so much could be done in so short a time.

I bespeak for this society the fostering care of the Legislature, believing that as its objects are promoted, our prosperity will be greatly advanced.

It has occurred to me, from a somewhat attentive perusal of our existing statutes, that a careful revision is much needed to produce that harmony necessary to a successful administration of them. Many of them are quite ambiguous in terms & others contradictory.

I make the suggestion, and leave you to take such action as your better judgment may dictate.

I respectfully call your attention to an act entitled "An act for the better observance of the Lords Day." The "Act in terms seems to be stringent enough; yet it fails of its object.

I regret to say that it is openly disregarded in all of our towns, and goes unpunished — whether from a defect in the law, or the inefficiency of public officers, I am unable to say.

If the latter, I suggest that some special penalty be prescribed as attaching to those who neglect to do their duty.

The penalties for such offences go to the School Fund, and but one County (Lyon) has ever paid from that source any thing into the Treasury. Such neglects are culpable in themselves and highly detrimental to public morals —

The amount of bullion shipped by public conveyance from the Territory since the session of the last Legislature, will amount to about — $10,000,000 — The amount retained and sent by private conveyance will amount to $8000,000. Making an aggregate of of about $18,000,000. — A large increase over the last year, and showing clearly that the amount of our mineral productions depends entirely upon the means of reduction in operation.

From the number of mills now being erected, and those to be erected during the coming year, I think it entirely safe to say that the amounts of bullion produced next year will be double that of this.

The Legislature, in December 1862 passed "An Act, entitled "An Act to provide a Contingent Fund for the Territory. The Act places annually three thousand dollars at the disposal of the Governor for certain purposes prescribed therein. And makes it obligatory upon him to report to your Honorable Bodies in what manner, and for what purpose or purposes it has been expended. I have the honor to report that I have not drawn a dollar of the amount thus appropriated. That amount, if any, the Acting Governor in my absence issued, I am not informed.

I am unable to state the exact condition of the Militia of the Territory — from the fact that the Adjutant General has not been able to make his report — for the reason that those, who by the law are obliged to inform him, have not communicated the necessary information, enough however is known to show that there has been considerable progress — many

in the organization of the Militia, so that we now number eights companies, who are all equipped and furnished with the most approved arms, making an effective force at all times ready in case of emergency. Under a call from the General Government for volunteers, four full companies of cavalry have volunteered from this Territory and have been mustered into the services of the United States —

Two more companies of the same arm of service are now rapidly filling up, and will soon be in the field.

Added to this, a Regiment of Infantry is being raised and organized for the United States service —

Eight Companies are already being enlisted, and two more will soon be organized, and their officers engaged in the business of recruiting for them —

When full their will then be one complete regiment of Infantry, and a Battalion of Cavalry, consisting of six Companies. The energy displayed by the officers charging the recruiting service in hand, and the alacrity with which our young men answer to the call of the Country, leave no doubt of success. Much gratifying assurance that the loyalty of our citizens has suffered no abatement — but is ready and willing to answer the calls made upon their Patriotism.

The State of California through her Legislature, made an appropriation, by which each volunteer receives five dollars per month in addition to the Government bounty and pay of the soldier. I suggest some such measure be adopted by this Territory; I am quite certain that a loyal people

will be willing to bear that small burthen in this great struggle now pending.

It seems to me necessary that you should provide by law for the taking of an accurate census of the population of the Territory.

The new rule of representation can alone be based upon actual population; the present apportionment of Representatives was made upon very uncertain data, and great changes have occurred since its adoption. The best and most economical plan of acquiring this knowledge in time for a new apportionment (if it shall be found necessary) before the election of your successors is left for you to determine.

The County of Sanders was created by your immediate predecessors in the hurry of business at the close of the session. They neglected the necessity of attaching it to the Third Judicial District, from which it was created, and likewise to designate the time and place of holding Courts in that County. By that omission the County with all its interests have been deprived of that protection to which it is entitled.

I submit for your consideration the propriety of raising the salary of the Territorial Auditor, and providing for the payment of his salary as it comes due.

As its now stands, he can only be paid out of moneys not otherwise appropriated.

Under this rule he has received little or nothing. The salary or pay of all other Territorial Officers

has been increased since his —
The office is one of the most important, its labors as great, and should be well paid; The law provides that the Adjutant General shall keep an office at the Capitol, and perform certain duties, which require a large amount of stationery — and at the present time much labor and attention —
The records and documents in his possession are important to the Territory, and State. every consideration of prudence demands that he should have some safe place to deposit them. There has never been any appropriation to defray the expense of an office or stationery, I think there should be. The salary attached to the office is quite inadequate. The Legislature of 1862 passed a law entitled "An Act to frame a Constitution and State Government for the State of Washoe. The people under the provisions of the law, voted with great unanimity in favor of it. They elected their delegates to the Constitutional Convention, who assembled at the Capitol in accordance with the law and an unusually short session formed and submitted a Constitution for the ratification of the people. The question whether the people will adopt it, will soon be decided. If it is adopted then of course the labors of this Legislature will be much abridged. The Constitution, in view of its adoption, wisely provided that the laws of the Territory should remain in force until amended or repealed by the State Legislature. care, therefore, should be exercised in the passage of new laws in the interim, that they do not infringe upon its provisions.
The Constitution thus sub-

mitted is passing through a severe ordeal.

That the judgement of the tribunal to which it is submitted will be I know not.

Whatever it may be, we must remember that it is the voice of a free people, to which we must submit, and with which we must be content.

I desire to say this much, from personal observation, the Convention displayed great earnestness and industry in forming the Constitution, and seemed exceedingly desirous to so perform their labors as to commend it to the favorable consideration of an enlightened constituency. I bespeak for it the calm, candid, unbiased, judgment, becoming a people earnestly endeavoring to do what is best for themselves and those who come after them.

Whatever may be our status, State or Territory, let us not forget the one great paramount duty we owe to our suffering country. Let us yield to her constant and affectionate allegiance.

If the storms gather and lowers let us dispel the clouds. If it be encompassed in darkness, let the flashing eye of indignant millions light up the way for its escape. if bound for the moment with the flaxen cords of treason, let us sunder them with fire. If weak and exhausted with long struggling with its foe, let us strengthen her with the nourishing and refreshing cordial of our warmest sympathies.

The furnace through which our country, and our institutions have been made to walk is heated by spirits no less diviish — than those that led the one through which the three of old were doomed to walk. I firmly believe we shall

come out as unharmed as they.
The same Providence is nothing over us. The same strong arm protects us.

The prize for which we are contending is precious and incalculable valuable. It will be won by no faint hearted effort — by no weak and effeminate race of men.

From the day of the landing of the Pilgrims on the barren coast of Plymouth Rock by making it their altar. God has been raising up a race of men on this continent for the present emergency.

He who sees the end from the beginning knew well the trials through which Freedom, in her weary pilgrimage, would have to pass. Knew well the dangerous passes in the mountains of obstacles through which her pathway lay; fully aware that these sweet passes were strongly guarded by hordes of opponents, armed with every weapon of offensive and defensive warfare tyranny could invent.

The love of freedom, so strong in our Revolutionary Fathers, has been transmitted from sire to son, increasing in strength, until we behold the sublime spectacle of more than a million of liberty-loving men marshalled for the defense of the principles for which our fathers fought and suffered. In this terrible crisis we are not only called upon to meet and battle with treason and its legion of soldiers but with an innumerable host of sympathizers, lacking the courage to avow treason. Not only are we engaged with these internal

foes, but with the outside world, who hold opinions in common with our domestic foes, that free government is not the form best adapted to the wants and necessities of man, but believe in the right of the Privileged classes to govern and control nations. To aid in this most foul and unholy rebellion, and to strengthen, stay up, and prolong this conflict, foreign governments have permitted ships to be constructed, armed and manned, for the purpose of destroying our commerce, hoping thereby to control and subdue the spirit of patriotism which burns so brightly in the hearts of the people, disregarding that great principle of non-interference in the domestic affairs of others, to which they hold as a nation, early in the struggle recognizing rebels and rebellion as belligerents, furnishing supplies and protection to those freebooters of the sea that go forth on their errands of destruction (as the assassin sallies forth to do his murderous deed) with but two objects first, to weaken the power of our nation, which is strong to put down the rebellion, thereby rendering positive aid and assistance to rebels; second to gratify the basest propensities of the human mind, personal gain and jealousy. At the same time we behold the Emperor of a great nation — whose hand bound subjects rise up and sit down at his bidding — attacking a neighboring Republic, for no cause but a pretended indebtedness, openly violating a long standing doctrine of this Nation — undoubtedly ind-

-pression that we were to weak to resist it, and at the same time holding confidential Tete-a-Tetes with the duly appointed Representitives of the rebel States and acting under the advice and direction of such Commissioners of rebellion—

Flushed with the apparant success of their treachery, he boldly attempts to place a scion of a royal race as emperor over a people desirous to be free.

Under all these embarrassments and discouraging influences, we behold a Nation determined to be free, rise with the giants power and gird on the armor for the conflict. In a day: the Nation is aroused by the approach of danger, and looks calmly around to see the quarter from whence it comes. It is momentarily startled to see it on every hand — from within and without. — quick as the lightnings flash, it awakes to the reality of its condition and comprehends the full issue. It is seen at a glance that Freedom and Tyranny are to have their final struggle, here upon our fair, and heretofore peaceful fields. The Nation and the loyal people accept the issue; armies and navies were spoken into existence. The music of peace was changed for the grand symphonies of war. With a commanding dignity and firm determination, the nation rose to to the magnitude of the occasion. They extended along our immense line of coast - a cordon of war vessels.

They constructed iron-clad gun-boats for our inland navigation, and launched Monitors and armored Leviathans of the sea, armed with guns of a caliber heretofore unknown and unheard of. The young, ardent, and impulsive, rallied from mountain and plain;

the right man in the right place, from the commander in chief to the Sergeant in the ranks, is every where seen. The collission was fearful and desperate; the wail of woe was borne to our ears upon every flitting gale and the habiliments of mourning were every where seen! The foundations of society were shaken to their very center; the rattling drum, the booming cannon, the clash of arms, greeted every where our ears. Thus, for three years has this struggle continued; sometimes the heart of patriotism has grown faint, in view of the terrible slaughter, and varying fortunes of the contest, until the auspicious period has arrived, and we behold peace but a little way off, and already can we hear in the distance, the shouts and peans of rejoicing millions, rejoicing not only that our arms have been victorious over domestic and foreign enemies; but that our power as a nation is established, and that our flag still floats as the emblem of the free. Rejoice with me that no Imperial power will be able to establish a throne on this Continent — rejoice that our Government is preserved intact, emphatically "The land of the free and the home of the brave" In the midst of our rejoicing, let us not forget to drop a tear to the memory of the fallen dead sweetly do they sleep, to await their reward in the coming Judgement —

They died and we pray truly say!
"The fittest place for man to die
Is where he dies for man."

This name will ever be embalmed in the memories of a grateful people, They will be registered on earth,

and, I doubt not, in Heaven, as patriots, proud designation — undone, if it cannot otherwise be obtained, worth the sacrifice they have made. See Fathers, Mothers, Sisters, and brothers, find consolation in the fact, that those who have fallen, have done so in the noblest cause in which man has ever striven, that the world, through all coming time, will be the rich recipient of the benefit arising from the sacrifice. Happy, indeed is the reflection that, through all these trials, Nevada has been true and loyal; never swerving from her course of fidelity to the country or the "Old Flag" but has held with an undying grasp to her institutions. Hold firm a little longer and your reward will be visible.

To you is committed the interests of this prosperous Territory. See to it that you discharge your duties in such a manner as to hasten its progress and development. Invoking the guidance of Him that directs and controls the destinies of nations and of man, to direct and control your deliberations not doubting that, in the time allotted for your session you will do much for the present and future welfare of the Territory —

James W. Nye —
Governor —

Executive Department
Carson City Jany 13th 1864

The Speaker announced after the reading of the Message, That the Members would retiring to the Hall of Representatives.

House called to order.

On the roll being called the following were present, and the following absent.

Present. Mr Barclay, Mr Brumfield Mr Baldwin, Mr Butler, Mr Dean, Mr Dixon, Mr Elliott, Mr Fisher, Mr Gillespie, Mr Gore, Mr Horton, Mr Hess, Mr Hunter, Mr Jones, Mr McDonald, Mr Nelson, Mr Phillippe, Mr Reaco, Mr Simmons, Mr Stewart, Mr Tatman, Mr Trace, and Mr Unger. 33

Absent, Mr Babcock, Mr Clagett, Mr Gray 3.

Mr Hunter moved that we proceed to the Election of Chaplain. Carried.

Mr McDonald nominated Reed Mr Riley.

Mr Hunter nominated Rev Mr White.

Mr Elliott moved to adjourn, negatived — Carried.

Mr Reaco asked to be excused from voting granted.

Mr Unger asked to be excused from voting. granted.

On a vote being taken, the whole number of votes cast 22. necessary to a choice 12. Of which Mr Riley received 6. and Mr White 16.

Mr White was declared elected.

Mr Fisher moved — That the Election be declared unanimous, — Carried.

Mr Barclay moved to elect an additional Page — Carried.

Mr McDonald nominated Wellington Stewart Jr.

Mr Unger moved the nominations be closed. — Carried.

Mr Gillespie moved that Wellington Stewart Jr. be declared unanimously elected, Carried.

Mr Gillespie offered the following Resolution.

Resolved, That the Clerk of the House be instructed to have the Oaths which was administered to the Members and Officers, of this House, Engrossed in order that the same may be subscribed to, adopted.

Mr Fisher moved, That we now proceed to the election of Engrossing Clerks.— Carried.

Mr Tennant nominated H. McStowe.
Mr Barclay nominated Capt Murphy.
Mr Gillespie nominated C. E. Du-Bois.
Mr Elliott moved to elect Engrossing Clerk viva voce.— Carried.

On the roll being called the whole number of votes cast 21, necessary to a choice 11, of which Mr Stowe received 9, Capt Murphy 9, Mr DuBois, 3, No choice.

Mr Gillespie withdrew the name of Mr Du-Bois.

Second Ballot. Whole number of votes cast 22, necessary to a choice 12, of which Mr Stowe received 10, Capt Murphy 12, Capt Murphy was declared Elected.

Mr Heaton moved a reconsideration of that portion of the Resolution, depriving the Enrolling Clerk of his Per diem from the first day of the Session.— Carried.

Mr Chagnets withdrew the amendment on Mr Brumfield's motion, Electing an Enrolling Clerk.

Mr Heaton moved— That that part of the Resolution depriving the Enrolling Clerk of his Per Diem from the first day of the Session be rescinded,— Carried.

Mr Gillespie moved, That Mr Powell be declared Enrolling Clerk by acclamation, Carried.

Mr McDonald moved, an adjournment until tomorrow at 11 Oclock,— Carried.

Third day's Proceedings.

Thursday Jany 14
10 O'clock A.M.

Pursuant to adjournment the House was called to order.

Upon the roll being called the following were present, and the following were absent.

Mr Barclay, Mr Brumfield, Mr Clagett, Mr Courler, Mr Dean, Mr Dixson, Mr Elliott, Mr Fisher, Mr Ford, Mr Heaton, Mr Hess, Mr Hunter, Mr Jones, Mr Nelson, Mr Phillips, Mr Regan, Mr Simmons, Mr Stewart, Mr Tennent, Mr Vincent, Mr Morgan, 21.
Absent, Mr Babcock, Mr Calder, Mr Gillespie, Mr Gray, Mr McDonald, 5.

Prayer by the Chaplain.

Minutes of the second days proceedings read and approved, after being corrected.

The Speaker announced the next business in order, presentation of Petitions.

Mr Clagett asked leave to present a Communication from the Secretary of the Territory. Communication read.

Territory of Nevada,
Secretary's Office
Carson City Jany 13th 1864.

To the Honorable the Speaker
of the House of Representatives
of the Legislative Assembly.

Sir:

Under the Act entitled "An Act" Empowering the Governor to appoint Commissioners of Deeds, and defining the duties of such offices" approved October 30th, 1861, I have received as follows:

Coin.	$355.00
Legal Tender Notes	5.00
	$360.00

Mr Clark of Iowa gave to the Territorial Treasurer, as shown by accompanying Vouchers. I have the honor to be,
Very Respectfully Your ob't Sv.
Orion Clemens,
Sec of the Territory.

On Motion moved the Communication be received and placed on file.

Mr Fisher moved an Amendment adding and printed. Announced not to adopt.

Mr Dixon's motion prevailed and was carried.

Mr Mormichella gives notice that he will at some future day ask leave to introduce a bill entitled "An Act" authorizing T. G. Smith his associates to furnish the town of Carson City with water to protect the town against fire

I will ask leave to introduce a bill at an early day, to repeal the Act entitled "An Act to provide an increased Compensation to the Justices of the Supreme Court, and other Officers in the Territory of Nevada, approved Dec 19th 1862.

Warren Keaton.

Mr Stewart gives notice that he will at some future day ask leave to introduce a bill entitled, "An Act authorizing the Constitution, framed by the late Constitutional Convention to be submitted to the People for their ratification or rejection on the day of July 1864.

T. J. Barclay gives notice at some future day he will introduce a bill relative to Notaries Public, limiting their number in each County of the Territory.

Mr Dixon gives notice that he will at some future day, introduce a Bill entitled "An Act amendatory of an Act to

to Establish a Seminary of Learning in Carson City, Approved Nov 21st 1861.

Mr Gillespie gives that he will at some future day introduce a Bill entitled An Act to provide for taking the Territorial Census for the year 1864.

Mr Hales gives notice that he will introduce a Bill at the earliest day to create the County of Ogden.

Mr Brumfield gives notice that he will at some future day ask leave to introduce a Bill, entitled, "An Act concerning Official bonds.

Mr Brumfield gives notice that he will at some future day ask leave to introduce a Bill entitled, "An Act" to allow compensation to Volunteers for the Federal Army from this Territory.

Mr Horton offered the following Resolution,

Resolved that the House (the Council concurring) adjourn tomorrow Friday at 1 Oclock, to meet again on Thursday 21 inst at 10 A M.

Mr McDonald moved a suspension of the rules.

Roll Called.

Ayes Mr Barclay, Mr Brumfield, Mr Dean, Mr Dixson, Mr Elliott, Mr Fisher, Mr Horton, Mr McDonald, Mr Nelson, Mr Phillips, Mr Rogan, Mr Simmons, Mr Stewart, Mr Tinnan, Mr Morgan, Sing, Mr Clagett, Mr Cutler, Mr Gillespie, Mr Gove, Mr Hales, Mr Hunter, Mr Jones, Mr Trask.

Affirmative 15.
Negative " 8.
Absent " 3. Carried.

Mr Gillespie moved an amendment striking out the word, House, and inserting the words Legislative Assembly.

Mr Fisher offered an amendment by inserting 12 Oclock on Friday.

Mr Houston accepted Mr Gillespie amendment.

Mr Elliott moved the adoption of the Resolution as amended. Carried.

Mr McDonald moved to strike out the word Council.

Mr Hunter moved to strike out the word Friday, and insert Saturday.

Mr Gillespie moved that the word 11 Oclock be stricken out and 1 Oclock inserted.

Mr Hunters motion lost.

Mr Clagett moved the words Legislative Assembly be stricken out and the word - House inserted.

Mr Fisher offered an amendment to the Resolution. Insert so the resolution will read. The House of Respresentatives and Council concurring.

Mr McDonald moved the reading of the Resolution as amended.

Resolution as amended read as follows. Resolved that the Legislative Assembly, & the Council Concurring, adjourn tomorrow (Friday) at 11 Oclock, to meet again on Wednesday 20th Instant, at 1 Oclock P.M.

Mr Fisher moved its adoption.

Mr Clagett moved the reading of the Resolution.

Resolution Read.

Mr Clagett moved to insert the words Resolved by the House.

Mr Houston accepted Mr Clagetts amendment.

Mr Houston - To strike out the word on Friday.

Mr Hunter moved to strike out the words by the House after the word resolved.

Reading of the Resolution called for as amended by Mr Clagett.

Resolution reads as follows:

Resolved by the House, The Council concurring, That when the Legislative Assembly adjourns tomorrow (Friday) it adjourn to meet again on Wednesday the 8th Instant, at 1 Oclock P.M.

Mr Clagetts amendment, carried.

Reading of Standing Committees.

Committees of the House of Representatives.

Federal Relations.

Mr Clagett.
" Fisher
" Barclay

Ways and Means.

Mr Hearton.
Mr Brumfield.
Mr McDonald.

Mining Affairs.

Mr Regan.
Mr Tennant.
Mr McDonald.

Judiciary.

Mr Brumfield.
Mr Clagett.
Mr Elliotts.

Internal Improvements.

Mr Caldwell
Mr Fisher.
Mr Cowler.

Education.

Mr Dixon.
" Stewart.
" Gillespie.

Mr Stewart moved, That the Sergeant at Arms be instructed to furnish a copy of the Constitution to each member.

Reading of Resolution again called for. Resolution again read.

Mr Gillespie moved to amend by striking out the word - when.

Mr Heaton accepted the amendment.

Mr Gillespie withdrew his amendment.

Roll called on the adoption of the Resolution as amended.

Resolution adopted.

Mr Clagett offered the following Resolution.

Resolved that the regular daily sessions of this House shall commence at the hour of 10 Oclock. A.M.

Mr Heaton moved its adoption.

Mr Fisher asked for the reading of the Resolution.

Resolution Read.

Mr Fisher moved to insert after the word session except when otherwise ordered. Lost.

Mr Fisher called for a division

Vote on the adoption of Mr Fishers amendment.

Ayes. Mr Clagett Mr Gillespie. Mr Gove, Mr Hunter. Mr Phillipps. 5, Affirmative

Nays, Mr Barclay, Mr Brumfield, Mr Burler, Mr Dean, Mr Dixon, Mr Elliott, Mr Fisher, Mr Heaton, Mr Hiss, Mr Jones, Mr McDonald, Mr Nelson. Mr Rogers, Mr Simmons. Mr Stewart, Mr Tennant, Mr Trask, Mr Mayor, Negative 18, Absent 3.

Lost.

Mr Heatons motion carried. and the Resolution adopted,

Mr Gillespie asked leave of absence for Mr Calder — Granted.

Mr Fisher asked leave by unanimous consent to introduce a bill entitled An Act amendatory of and supplemental to an Act, entitled An Act, to provide for the assessing and collecting of the County and Territorial revenue approved Dec 21st A.D. 1862.

Leave granted.

Bill read.

The Speaker announced if no objection, the bill would be read the second time by title, and referred to Committee on Ways and Means.

Bill read by title and so referred.

Mr Clagett moved the rules be suspended, and the bill placed on its final passage.

Motion withdrawn.

Mr McDonald moved to have 50 Copies of the Governors Message, furnished each Member.

Mr Gillespie moved to amend so as to include Officers and reporters. Carried.

Message from the Council.

Council Chamber
January 14th 1864.

To the Hon. The Speaker
of the House of Representatives.

The enclosed Resolution is hereby transmitted to Your Honorable body by order of the Territorial Council.

Respectfully
A. G. Clark
Sec Ter Council

Resolved,

The Assembly concurring that 1000 Copies of the Governors Message be printed for the benefit of the Territory and Legislative Assembly.

Mr Gillespie moved the Message from

The Council be laid on the table. Carried.

Mr McDonald moved the vote ordering fifty copies of the Governors Message for each member be reconsidered. Carried.

Mr Blagett moved the resolution requireing fifty copies for each member be indefinitely postponed. — Carried.

Mr Heaton moved the resolution be taken from the table. Carried.

Mr Gillespie moved an amendment instructing 2500 copies instead of 1000.

Mr Barclay moved to amend by inserting 1500. instead of 1000.

Mr Gillespies amendment. Lost.

Mr Barclays amendment Lost.

Concurrent Resolution of the Council adopted.

Message from the Council announced.

Message Read.

Council Chamber
Fany 14th 1864

To the Hon the Speaker
of the House of Representatives.

I am instructed by the Hon the Council to inform your Honorable body, that the Council concurs with your Joint Resolution asking an adjournment of the Legislature Assembly until Wednesday the 24th Instant,

Respectfully
P. G. Clark.
Secy. to Council

Mr McDonald moved the appointment of a Committee of Conference.

Mr Blagett moved the Message be laid on the table, Lost.

Mr McDonalds motion — Carried.

The Chair appointed Mr McDonald Mr Blagett and Mr Heaton, on said Committee.

Message from the Council announced.

Message Recd.

Council Chamber
Jany 14th 1864.

To the Hon the Speaker
of the House of Representatives,

I am directed by the Hon the Council to transmit the enclosed Resolution to your Honorable body.

Respectfully
C. P. Clark
Secy to Council

Resolved
The House concurring that when we adjourn on Saturday next, we adjourn to meet on Wednesday next at 10 Oclock.

Mr Phillipps moved the Message be referred to the Committee of Conference.

Mr Hendon moved that the House concur with the Resolution of the Council.— Carried.

Mr McDonald moved to take a recess until 2, Oclock. — Carried.

Afternoon Session.

House called to order at 2 Oclock P.M. The following were present and the following absent.

Present. Mr Barclay, Mr Carter, Mr Dean, Mr Dixson, Mr Elliott, Mr Fisher, Mr Gillespie, Mr Gow, Mr Heaton, Mr Hesse, Mr Hunter, Mr Jones, Mr McDonald, Mr Nelson, Mr Phillipps, Mr Regan, Mr Simmons Mr Stanchard, Mr Stack, Mr Sugar. 20.

Absent.— Mr Babcock, Mr Brumfield, Mr Calder, Mr Colquett, Mr Gray, Mr Stewart 7.

Mr Fisher moved a Call of the House — Carried.

A list was made of the absentees and given to the Sergt at Arms

Mr Blagett announced admitted and excuse given.

Mr McDonald moved Mr Blagett be excused. Carried.

Mr McDonald moved further proceedings under the call of the House, be dispensed with, Carried.

Message from the Council.

Council Chamber
January 14th 1864.

To the Hon the Speaker
of the House of Representatives

I am directed by this Honorable Council to communicate to your Honorable House, the accompanying Resolutions adopted by this Council this day and hereby sent to the Hon. the House of Representatives for their concurrence.

Respectfully
S. G. Clark.
Secy for Council

Resolutions of the Council read

Resolved by the Council, the House of Representatives concurring:

1. That under God the highest allegiance of the American Citizen, whether in State or Territory, is due to the Federal Government; and that his first duty is to preserve the National Safety, defend the National unity and to protect the National Honor.

2. That growing with our growth, and strengthening with our strength is an unfaltering faith in the ability of the General Government to crush out every trace of disloyalty in the rebellious States: to beat down-

with the naked arm of the Republic, Treason, whenever it raises its head in defiance; to maintain unbroken the boundaries of its empire, and undisputed the supremacy of its rule; to restore to peace, harmony and union, a brave and war-worn people, and rear the standard of its authority over every foot of the seceded South.

3. That we have an abiding confidence in the ability, honesty and patriotism of Abraham Lincoln, President of the United States; that we endorse the great acts of his Administration, and as the Representatives of the people of Nevada Territory pledge our support, to all measures having for their object, the speedy suppression of the rebellion, and the restoration of peace.

4. That, in common with the people of the loyal North — in the sympathy with the sentiments of every loyal American — we condemn and deprecate the attempt of the Emperor of France, to seize upon and distroy, without excuse or justification, the Government of a distractedneighboring Republic, and upon the ruins of a free system rear a Empire at the very threshold of the United States, (of the North;) and we most earnestly approve the attitude of the Administration in its protest against this unprovoked and (Coward ly) usurpation, and in its manifest determination to enforce, in spirit and in letter, at the earliest practicable moment the cherished principals of the "Monroe doctrine"

5. That the Rebellion is a suggestion of Satan and an inspiration from hell, and is at war with the hopes of man, and the promises of God; that our hostility to treason, whether North or South, whether in word, or in arms, is immutable and uncompromising, and our hope is, that the sword of the Republic may not be sheathed until treason kneels in submission, disarmed and defenceless.

6. That we re-affirm our devotion to the Federal Government, and our fealty to its Flag, and in the name of the people of Nevada Territory,

we pledge to their preservation and defence, the wealth of our hills, the strength of our arms, and the loyalty of our hearts,

Resolutions referred to Committee on Federal Relations.

Speaker ordered reading of Standing Committees.

Corporations.
Mr Clagett.
" Elliott.
" Phillipps.

Expenditures of the House.
Mr Fisher
" Gove.
" Jones.

Engrossed Bills.
Mr Gillespie.
" Stewart.
" Gove.

Military and Indian Affairs.
Mr Hess.
" Kequo.
" Heaton.

Agriculture.
Mr Trask.
" Dean.
" Hunter.

Erection and Division of Towns & Counties
Mr Barclay.
" Fennant.
" Clagett.

Mr Gillespie declined the position of chairman of the Committee on Engrossment.

Mr Phillipp moved Mr Gillespie be excused from the Committee.— Lost.

The Speaker announced the notice of introduction of bills next in order.

Mr Barclay gives notice that he will at an early day, introduce a bill to fund all of the unfunded debt of the Territory.

Mr Brumfield gives notice that he will at some future day, ask leave to introduce a bill entitled "An Act to provide the order in which Territorial Warrants shall be paid.

Mr Elliott gives notice, that he will at some future day, ask leave to introduce a bill entitled," An Act relating to the sale of real estate and mining claims, belonging to the estates of deceased persons.

Mr Tennant gives notice that he will at some future day ask leave to introduce a Bill Amendatory to; "An Act, to amend an Act, entitled an Act, defining the Judicial Districts, fixing the terms of the Supreme Courts of the Territory, locating the County seats of the several Counties of the Territory and providing for the transfers and trial of Actions: approved November 29th 1861.

Mr Gillespie gives notice that he will at some future day ask leave to introduce a bill entitled "An Act Amendatory of and Supplemental to an Act, to incorporate the Washoe Agricultural Mining and Mechanical Society passed Dec 1st 1862.

Mr Fisher gives notice that he will at some future day ask leave to introduce a bill entitled "An Act for the relief of H. P. Burnham, Co Tax Collector of Douglas County.

Mr Mugan gives notice that he will, at some future day ask leave to introduce a bill entitled: "An Act, To consolidate the

cities of Virginia and Gold Hill in the County of Storey.

Mr Gow gives notice that he will at some future day ask leave to introduce a Bill entitled An Act, For Probate Judges to act on Transcripts from Justices Courts,

Also a Bill entitled An Act for a Toll road between Washoe City and the Ophir Works.

Mr Brumfield gives notice that he will, at some future day ask leave to introduce a bill entitled "Act to provide for the payment of the rents of the Supreme Clerks Office,

Mr Barclay gives notice that he will at a future day, introduce a bill Conferring Civil Jurisdiction in Civil Cases on the Police Judge of Virginia City and Amending the City Charter of Virginia.

Reading of the Committee Report.

Mr Gillispie from the Select Committee on Rules and Orders for the Government of the House presented the the following Report.

Mr Speaker.

The Select Committee appointed to prepare and submit for approval Rules and Orders for the Government of the House respectfully submit, the following as the result of their labours, and recommend the adoption of the same; to wit:

Rules and Orders of the House of Representatives of the Territory of Nevada.

Chapter 1,

Of the Powers and Duties of the Speaker.

Speaker to take the Chair.

1. The Speaker shall take the chair each day at the hour to which the House shall have adjourned. He shall call to order, and, except in the absence of a quorum, shall proceed to business in the manner prescribed by these rules.

Duties of the Speaker.

2. He shall possess the powers and perform the duties herein prescribed, viz.:— 1 He shall preserve order and decorum. 2. He shall decide all questions of order, subject to appeal to the House. On every appeal he shall have the right in his place, to assign his reasons for his decision.

Appeal.

Committees.

3. He shall appoint all Committees, except where the House shall otherwise order.

Speaker pro tem.

4. He may substitute any member to perform the duties of the Chair for a period not exceeding two consecutive legislative days, but for no longer period, except by special consent of the House.

Committee of the Whole.

5. When the House shall be ready to go into Committee of the Whole, he shall name a Chairman to preside therein.

Passage of bills.

6. He shall certify the passage of all bills by the House, with the date thereof.

Reporters.

7. He shall designate what persons are entitled to admission to the floor as Reporters, for the public press.

Chapter II.

Reading of Journal.

3. The first business of each days session, shall be the reading of the journal of the preceeding day, and the correction of any errors, that may be found to exist therein.

After which except on days and at times

set apart for the consideration of Government Special Orders, the Order of business which shall not be departed from except by a unanimous vote of the House shall be as follows.

1. Presentation of Petitions.
2. Reports of Standing Committees.
3. Reports of Select Committees.
4. Messages from the Governor.
5. Communications from Territorial Officers
6. Messages from the Council.
7. Notices of Bills.
8. Second readings of Bills.
9. Introduction of Bills.
10. Motions and Resolutions
11. Unfinished Business of the General Orders.
12. Special Orders of the day.
13. General Orders of the day.

But Messages from the Governor; Communications from Territorial Officers; Messages from the Council, and reports from the Committee on Engrossed and Enrolled Bills, may be received under any order of business.

Chapter III.

Of the Rights and Duties of Members.

Presentation of Petitions.

4. Petitions, memorials, and other papers addressed to the House, shall be presented by the Speaker, or any member in his place.

Papers to be indorsed.

5. Every member presenting a paper shall indorse the same, if a petition, memorial, or report, to the Legislative Assembly, with a brief statement of its subject or contents, adding his name; if a notice or resolution, with his name; if a report of a Committee, a statement of such report, with the name of the Committee and member making the same; if a bill, a statement of its title, with his name, and the fact whether presented on notice or

by unanimous consent.

When members must vote. 6. Every member who shall be within the bar of the House when a question is stated by the Chair, shall vote thereon, unless he be excused by the House, or unless he be directly interested in the question. No member shall be obliged to vote on any question unless within the bar when his name is called. The bar of the House shall be deemed to include only the space within the rails.

Excuse from voting. 7. Any member desiring to be excused from voting may rise, either immediately before or after the roll shall have been called, and before the result shall be announced, a brief statement of his reasons for making such request, when the question shall thus be taken without debate.

Chapter IV.

Of Order and Decorum.

Speaker to address. 8. No member rising to debate, to give a notice, make a motion or report, to present a petition or other paper, shall proceed until he shall have addressed the Speaker and have been recognized by him.

Order. 9. While a member is speaking no member shall entertain any private discourse, or pass between him and the Chair.

10. While the Speaker is putting a question, or announcing it being lost, no member shall speak or leave his place.

11. When a motion to adjourn is carried, the members and officers shall keep their seats until the Speaker leaves the Chair, adjourned.

Chapter V.

Of Order in Debate.

Order of Speaking

12. No member shall speak more than twice to the same general question, without leave of the house, until every member desiring to speak on the question pending, shall have spoken.

Calls to Order.

13. If any member, in speaking, transgress the rules of the house, the Speaker shall, or any member may, call to order, in which case the member so called to order, shall immediately sit down, and shall not rise unless to explain or proceed in order.

Priority of business.

14. All questions relating to the priority of business, that is, the priority of one question or subject matter over another, under the same order of business, shall be decided without debate.

Chapter VI.

Of Committees and their Duties.

Standing Committees

15. Standing Committees, consisting (except where otherwise ordered) of three members each, shall be appointed on the following subjects.

On Ways and Means.
On Internal Improvements.
On Education.
On Erection and Division of Towns and Counties.
On Internal Affairs Towns and Counties
On Public Institutions.
On Privileges and Elections.
On Engrossed Bills.
On Enrollment.
On Militia and Indian Affairs.
On Agriculture.
On Public Printing.
On Judiciary.
On Federal Relations.

On Mines and Mining Affairs.
On Claims.
On Incorporation.
On Executive Department.
On Expenditures of the House.

Duties of Committees. 16. It shall be the duties of each of the several Committees to inquire into the matter indicated by its name, and to report thereon to the House any information, and any bill or resolution which it may deem conducive to public good.

Committee on Ways and Means. 17. It shall be the duty of the Committee on Ways and Means to examine into all the Departments of the Government, whether Executive, Judicial, or otherwise, where salaries or emoluments are given; to examine, ascertain, and report to the House what offices can be dispensed with, and what salaries or emoluments can be reduced, and how far consistent with the public good.

Engrossed Bills. 18. The Committee on Engrossed Bills shall carefully examine, in the order in which they shall be directed by the House, to be engrossed for a third reading, all bills so engrossed, and see that the same are correctly engrossed, and they shall report the same in like order to the House, before they are read the third time.

On Enrollment. 19. The Committee on Enrollment shall carefully compare the enrolled bills, in the order in which they shall be directed by the House, with the engrossed bills, as passed by both Houses, and see that the same are correctly enrolled, and they shall report the same in like order to the House for transmission to the Governor.

On Printing. 20. It shall be the duty of the Committee on Public Printing to examine and report on all questions of printing referred to them, to state an approximate estimate of the cost in the particular case referred when practicable.

to examine, from time to time, and ascertain whether the prices charged for printing are in conformity to the contract therefor, and whether it is done in conformity to the orders of the House, and without unreasonable delay; to ascertain and report what number of copies ought usually to be printed, and how distributed, and to report to the House, from time to time, any measure they may deem useful for the economical and proper management of the public printing.

On Expenditures. 21. It shall be the duty of the Committee on Expenditures of the House, and in the Executive Department, severally to inquire into the said expenditures, and whether the same have been made in conformity to law, and whether proper vouchers exist for the same, and whether the funds provided for the purpose are economically applied, and to report from time to time, such provisions, laws and regulations as may conduce and secure faithful disbursements of the monies appropriated by law.

Chapter VII.

Of the General Orders and the Proceedings

Of the Committees of the Whole. 22. The matters referred to the Committee of the Whole House shall constitute the General Orders, and their title shall be recorded in a Calendar, kept for that purpose by the Clerk, in the order in which they shall be referred severally.

General Orders. 23. The business of the General Orders shall be taken up in the following manner, viz:— The Clerk shall announce the title of each Bill, or other matter as it shall be reached in its order; whereupon it shall be taken up upon the call of any member, without the reading of a speech therefor; but if not so moved, it shall lose its precedence for the day, and remain

time bills have been thus made consecutively, the House shall go into Committee of the Whole upon them without further order. But no bill or other matter shall be taken out of its order, except by vote of two-thirds of the members present, nor shall any unprinted bill be taken up unless by order of the House.

Special order made.

24. Any matter may be made the special order for any particular day by the vote of two-thirds of the members present. But it shall not be in order to make any matter a special order for any day and by more than three bills or other matters shall be made the special order for the same day. No special order shall be postponed or recinded except by vote of two-thirds of the members present.

Chapter VIII.

Other Committees of the House.

Committee of the Whole.

25. The same rules shall be observed in Committee of the Whole as in the House, so far as the same are applicable, except that the previous question shall not be put, nor shall the question of adjournment be entertained, but a motion to rise shall be always in order, having the effect to dissolve the Committee. The amendments in their proceedings shall be reported to the House, one week in advance.

Proceedings of Bills and other matters recalled from Committee of the Whole.

26. Bills and other matters recalled from Committee of the Whole in the following manner: Any Bill or other matter may be taken up, if it be not recommitted or postponed, they shall be considered by section, having the bills to be last considered, that amendments thereto shall be reported to the House, one week in advance.

Quorum.

27. If at any time when in Committee of the

Whole House, it be ascertained that there is no Quorum, the Chairman shall immediately report that fact to the Speaker.

Chapter IX.

Of Bills.

Introduction of Bills.

1. A Bill shall be introduced in the House except on one of the following motions, viz:

1. By leave of the House, on one day's previous notice being given of the motion therefor which notice must specify the precise matter of the Bill.
2. By unanimous consent of the House.
3. By report of a Committee.
4. By order of the House.
5. By motion of a member.

Title of Bills.

3. The title of all Bills introduced, shall state generally the subject matter of such Bills.

Message from

4. Every message from the Governor communicating any Bill for the consideration of the House, shall notify the recommendation, if any, the reference of a similar or related measure, and shall be read at the time or at such other time as the House may direct, and shall take a like reference, Except the House shall otherwise order.

All Bills to be referred.

5. All other Bills introduced in the House or communicated by message from the Council, shall after their second reading, be referred to a Select or Standing Committee, to consider and report thereupon, but all Appropriation Bills, either with or without amendments, or they may report against the same.

All Bills favorably reported, shall, if the report be agreed to, be committed to the Committee of the Whole; but when a Bill has been reported adversely, and such report be agreed to by the

House, it shall not go upon the general order, but shall be considered as rejected.

Bills from committee of the whole.

33. Bills reported by Committees of the House shall be subject to debate before the question to agree with the Committee in their report is put; but such amendments only shall be in order as were offered and decided in Committee of the Whole. Other amendments to bills so reported by the Committee of the Whole, with the particular clauses or sections, and the report shall be agreed to by the House, it shall be considered as rejected.

New readings.

34. Every bill shall receive three separate readings previous to its final passage, and the three readings shall be on a day subsequent to that on which the bill passed its Committee of the Whole, unless the House by a vote of two thirds of the members present shall direct.

Bills to be read a third time.

35. No bill shall be ordered to a third reading until it has been considered in Committee of the Whole, nor shall it be in order to refer any bill to a select committee to report completed.

Engrossed bills.

36. All bills shall be engrossed or printed, in the order in which they were directed by the House to be engrossed or printed.

Passed stage.

37. No bill originating in the House, shall be put upon its third reading until it shall have been reported by the Committee on Engrossed Bills as correct in engrossed, & no shall any bill be read the last time unless it shall have been so printed, without the consent of two-thirds of the members present.

Of E.

38. The third reading of bills shall take place in the order in which they were ordered to a third reading, unless the House by a two-thirds vote of the members present direct otherwise, or the bill to be read be laid on the table. Once the =

Allowance of the final passage of any bill shall be taken immediately after the third reading, and without debate, unless the bill shall be ordered to be recommitted.

Consideration. 39. The same rule that shall be required to pass any bill, shall be requisite to carry a reconsideration thereof.

Register to be kept. 40. A register shall be kept by the Clerk of all bills introduced into the House, or transmitted for concurrence from the Council, in which shall be recorded under appropriate heads, the progress of such bills, from the date of their introduction to the time of their transmission, if House bills, to the Governor or Council; if Council bills, their return to the Council.

Chapter X.

Of Motions and their Precedence.

Precedence. 41. When a motion is made in the House or Committee, no motion shall be received or entertained except the following, viz. in the order here mentioned:

1. To adjourn the House.
2. To call up the House.
3. For the previous question.
4. To lay on the table.
5. To postpone indefinitely.
6. To postpone to a day certain.
7. To refer to a standing committee of the House or the Council, respectively.
8. To commit to a committee of the House.
9. To commit to a select committee.
10. To amend.
11. To amend.

Rules of debate. 42. The motions to adjourn and lay on the table shall be decided without amendment or debate. The several motions to postpone or

cannot, shall preclude all debate of the main question.

Obstruction. 43. Every motion or resolution shall be given to the Speaker, or read by the Clerk, before it is put to the House immediately before putting the question, and every motion, except those specified in the sixth section, not in the discretion of forty first rule, shall be reduced to writing if the Speaker or any member desires it.

Motion may be withdrawn. 44. After a motion is stated by the Speaker it shall be deemed in the possession of the House, but may be withdrawn at any time before decision or amendment.

Motions how disposed. 45. When different motions or resolutions are offered, the order in which they shall be put to the House shall be, first the original motion, then the amendments in the order in which they are moved.

Adjournment. 46. The motion to adjourn shall always be in order.

Postponement. 47. If the consideration of a question be postponed, it shall be the duty of the Speaker to place it at the head of the calendar for the next day for consideration, unless other business be made the special order for that day, or be postponed to a day certain.

CHAPTER XI.

OF COMMITTEES.

Lie over one day. 48. All the following classes of bills shall lie over one day for consideration after being read the first time, unless by a vote of two-thirds of the members present, under their suspension of the rules.

1. Of the Concurrent resolutions.

I. Resolutions calling for information from the Executive Department.

II. Resolutions giving rise to debate, such as relate to the appropriation of money, impeachments, bills, the Senate, the House, such as relate to the rules of the legislative bodies, and such as relate to adjournment, or military matters.

First to be referred.

§ 1. All resolutions in the nature of an extra number of any standing rules, shall be referred, without debate, to the standing committee on rules, to report thereon.

Expenditure resolutions to be referred.

§ 2. All other resolutions calling for a distribution to be referred to an appropriate committee for the use of the legislature, shall be referred to, and reported on, by the committee of the Executive of the House, unless the House shall direct otherwise.

Chapter XII

Of the Previous Question

Of the previous question.

§ 1. The "previous question" shall be in the following words, "Shall the main question be now put?" Until it is decided, shall be entertained amendments to the text, motions to postpone, to commit, to amend, and to postpone indefinitely, which may be applied to the main question, and to the amendments, in the order in which they are here stated, but not to any other matter, nor to the main question, shall not now be put. The previous question shall be considered as ordered to be carried by a majority of the members present.

Main question.

§ 2. The "main question" shall be on the passage of the bill, resolution, or other matter under consideration, but if any amendment be pending, the question shall first be taken upon such amendment, in the order in which it shall have been stated in the committee of the whole, or if there shall not have been such, then upon the last amendment made, and so on, in the reverse order in which they were made, and if the previous question had been

ordered, without further debate or amendment.

Chapter XIII.

Miscellaneous Provisions.

Absence of Quorum.
52. In all cases of the absence of a quorum during the session of the House, the members present may take such measures as they shall deem necessary to secure the presence of a quorum, and may inflict such censure or pecuniary penalty as they may deem just on those who, on being called on for that purpose, shall not render sufficient excuse for their absence.

Tie Vote.
53. When the House shall be equally divided on any question [illegible], the motion shall be deemed to be lost.

Question when to be divided.
54. If any question contain several distinct propositions it shall be divided by [illegible] at the request of any member, but [illegible] shall be indivisible.

The Journal.
55. In all cases [illegible] the names of the members [illegible] shall also be entered on the Journal.

Yeas and Nays.
56. The yeas and nays may be taken on any question when demanded by three members [illegible] and the names shall be entered on the Journal.

No rule to be suspended except on notice.
57. [illegible] standing rule or order of the House shall be rescinded or suspended [illegible] unless [illegible] to the House, the motion [illegible] shall state distinctly the object of the alteration, [illegible] such motion shall be [illegible]

objects specified in the preamble. Our stock the thirty-seven to return to service upon to sell, be taken, requested to subscribe, subject to the terms of the two resolutions adopted to the Senate, upon such alternate resolution, in our proviso.

All of which is respectfully submitted

Jas. H. Gillespie
Chairman.

Mr. R. C. Greenfield
Committee.

Mr O'Donnell moved the adoption of the report.

Mr O'Donnell withdrew temporarily for amendments.

Mr Phillips moved - To amend the section relating to appropriations as read, until the Speaker shall have the Medical Examiner, Working Men's Seventh Ward, Service.

Mr Bare by request the Senate to join Lieu Ex Franchises from to the Senator of 1835.

Mr Elliot moved to amend by inserting 100 Copies.

Mr Barclay accepted the amendment

Mr Healon moved an amendment of 75 Copies.

Mr Phillips moved an amendment of 26 copies.

The vote was taken on Mr Elliotts Amendment ——— Carried.

Mr Ungar offered the following Resolution

Resolved, That the Committee on Federal Relations be and is hereby

requested to report upon the Resolutions communicated to this Hon. Body by the Council, by Saturday Morning.

Mr Hunter moved an amendment until Saturday Morning.

Mr Ungar accepted the amendment.

Mr Barclay moved an amendment until Wednesday morning — Lost.

Ayes and Noes called for on the resolution as amended.

Ayes and Noes on Mr Ungar's Resolution —

Aye.	Nay.
Mr Dixson	Mr Barclay
Mr Elliott	Mr Brumfield
Mr Gillespie	Mr Cubey
Mr Gore.	Mr Dean.
Mr Heaton	Mr Fisher
Mr Hess	Mr McDonald
Mr Hunter	Mr Phillips
Mr Jones	Mr Simmons
Mr Nelson	Mr Stewart
Mr Nequa.	
Mr Tennant	
Mr Trask	
Mr Ungar	

Affirmative 13.
Negative 9.

Carried and Resolution adopted

Mr Dixson asked leave by unanimous consent to give notice of the introduction of a Bill — Leave granted.

Mr Dixson gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act Repealing an act Entitled an act Amendatory of

Section Thirty four of an act defining the time of commencing Civil Actions. Approved Nov 21st 1862.

Mr Curler asked leave of absence for Friday and Saturday — Leave granted.

Mr Heaton moved to adjourn House adjourned. Carried —

Fourth day Morning Session —

Pursuant to adjournment the House was called to order at 10 O'clock A.M.

Jan 15th 1864

Upon the calling of the Roll The following were present —

Present.	Absent.
Mr Barclay	Mr Babcock.
Mr Brumfield	Mr Gray
Mr Calder	Mr Phillips
Mr Clagett	
Mr Dean	
Mr Dixson	
Mr Elliott	
Mr Gillespie	
Mr Gove.	
Mr Heaton	
Mr Hess.	
Mr Hunter	
Mr Jones	
Mr McDonald	
Mr Nelson	
Mr Regua	
Mr Stewart	
Mr Tennant	
Mr Trask	
Mr Ungar	
Mr Speaker.	

Present 21.
Absent 3.
Excused 2.

Prayer by the Chaplain

The Speaker announced the following Standing Committees.

On Enrolled Bills.
Mr Tennant.
Mr Elliott.
Mr Dixson.

On Public Printing.
Mr Gillespie.
Mr Nelson.
Mr Stewart

On Claims
Mr Fisher
Mr Heaton
Mr Phillips

Internal Affairs. Towns and Counties
Mr McDonald
Mr Ungar
Mr Dean.

Trade and Manufactures
Mr Gove
Mr Ungar
Mr Dean.

The Speaker announced Mr Samuel Clemens — Entitled to a seat on the floor of this House as Reporter—

Mr Heaton asked leave of absence for Mr Fisher — Granted

Mr Brumfield asked leave

of absence for Mr Dean — Granted.

Mr Barclay presented a report from the Committee on joint Rules.

Resolutions Read.

Mr Hunter moved to strike out the words to after the word dissent and insert the word from — Lost —

Mr Gillespie moved to amend so as to read — after a Bill shall have passed both Houses, It shall be duly enrolled by the Enrolling Clerk of the House in which the Bill may originated before it shall be presented to the Governor of the Territory.

Carried —

Mr Heaton moved its adoption as amended and sent to the Council for their Concurrence —

Carried.

The Speaker announced the notice of the Introduction of Bills next in order.

Mr Elliott gives notice that he will, at some future day ask leave to introduce a Bill entitled "An Act to provide for the registration of the qualified electors, and to secure the purity of elections.

Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to amend an Act entitled An act Regulating Proceedings in criminal Cases, in Courts of Justice, Approved Nov 26" 1861 Providing for Changes of Venue in such cases.

Mr Tennant gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to supply the Town of Austin in the County of Lander with water and to protect the Town against fire.

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to legalize the acts of the Probate Judges and Prosecuting Attorneys in the several Counties of this Territory

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act for the relief of Herman Knowles.

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to Regulate fees and cost—

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to incorporate the Town of Ophir in Humboldt County.

Mr Dixson gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act Authorizing the Board of County Commissioners of Lander County to levy a special Tax.

Mr Tennant gives notice that he will, at some future day ask leave to introduce a bill entitled"

An Act to grant C.C. Bartlett and B.F. Low the right to construct and maintain a Toll Road from the Junction House on the Overland Mail Road, over the Smith Creek Mountains to the Smith Creek Station.

Council Chamber
Jany 15th 1864

To the Hon the Speaker of the House of Representatives.

The accompanying joint Resolution is herewith transmitted to your Honorable Body for concurrence

Respectfully
T. G. Clark
Secy in Council.

Resolved.

By the Council (the Assembly concurring) that the Standing Committees of the two houses on Printing, constitute a joint Committee

Council Chamber
Jany 15th 1864.

Mr Gillespie moved to suspend the Rules — Carried.

Mr Dixson moved the House concur — Carried —

The Speaker announced the introduction of Bills next in order.

Mr Brumfield introduced a bill entitled" an act for the relief of Mason & Huff — Read twice by title and referred to the Committee on Claims —

Also A Bill entitled" An Act to provide for the order of paying of

Municipal and County Warrants &c
Read twice by title and
referred to the Committee on Ways
Means.

Also a bill entitled "An
Act concerning official Bonds.
Read twice by title and referred
to the Committee on Judiciary.

Mr Gove introduced a Bill
entitled "An Act granting to S. C. Jolly.
the right to construct and maintain
a Toll road from Washoe City to
Ophir— Read twice by title and
referred to the Committee on Internal
Improvements.

Mr Barclay introduced
a bill entitled "An Act to provide
for the appointment of Notaries
Public. and defining their duties
Read twice by title and re-
ferred to the Committee on Judiciary.

Mr Dixson introduced a bill
entitled "An Act repealing an act en-
titled an act amendatory of Sec 34 of
an act defining the time of commen-
cing civil actions approved Nov 21st 1862.
Read twice by title and re-
ferred to the committee on Judiciary.

Mr Rees introduced a
bill entitled an act creating the County
of Nye.

Mr Calder moved the Bill
be referred to the Committee on Election and
division of Towns. and Counties and the
Esmeralda Delegation Read twice
by title and so referred.

Mr Gove introduced a
bill entitled an act to amend the civil

Probate Court act. Read thrice by and referred to the Committee on Judiciary

Mr Tennant moved the Sergeant at arms be instructed to procure 100 Copies of the Constitution of the proposed State of Nevada for the use of the members.

Mr McDonald moved to have one Hundred Copies procured Carried—

Mr Blagett moved to take a recess until 2 O'Clock P.M. Carried.

Afternoon Session.

House called to order at 2 O'Clock P.M. Upon the Roll being called the following were present.

Mr Brumfield. Mr Calvert. Mr Blagett. Mr Dixon. Mr Elliott Mr Cox. Mr Hess. Mr Hunter. Mr Jones. Mr McDonald. Mr Nelson. Mr Phillips. Mr Rosqui. Mr Stewart Mr Tennant. Mr Trask. Mr Ungar. Mr Speaker. 18.

Absent Mr Babcock. Mr Barclay Mr Gray. 3.

Excused Mr Curler Mr Dow. Mr Fisher. Mr Gillespie. Mr Hosalton 5.

Mr Ungar asked leave of absence for Mr Hosalton for two days. Granted

Mr McDonald asked leave of absence for Mr Gillespie. Granted.

The Speaker announced

the Report of the Territorial Prison Commissioners. Report Read.

Mr Clagett moved the Report be referred to the Committee on ways and means. — Carried.

Mr Clagett presented Report from the Secretary of the Territory. Report Read.

Mr Elliott moved the Report of the Secretary of the Territory be referred to the Committee on Ways and Means — Carried.

The Speaker announced the next business in order. The notice of the introduction of Bills.

Mr Barclay gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to prevent the carrying of ~~[illegible]~~ weapons.

Mr Brumfield gives notice that he will, at some future day ask leave to introduce a bill entitled An Act Prescribing the manner of commencing and maintaining actions by and against Counties.

Mr Tennant gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to incorporate the town of Austin, in the County of Lander.

Mr Barclay gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to provide for the location of Coal Lands.

The Speaker announced the next in order. Introduction of Bills.

Mr Brumfield introduced a bill entitled "An Act to supply Carson City with water" Bill read Price by Title

Mr Brumfield moved the bill be referred to the Ormsby County Delegation — Carried.

The Speaker announced motions and resolutions ready in order.

Mr Mc Donald moved the Chair appoint a Committee of Three on Milage — Carried.

Mr Tennant offered the following Concurrent Resolution

Resolved. "The Council Concurring" That Three Hundred Copies of "His Excellency, the Governors Message" be printed for the use of the Governor.

Mr Mc Donald moved that the rules be suspended — Carried.
Resolution adopted.

The Chair appointed as a Special Committee on Milage — Mr Mc Donald Mr Tennant. Mr Hongar.

Mr Hunter moved to adjourn — Carried.
House adjourned.

Fifth Day Morning Session

Pursuant to adjournment. The House was called to order at 10 O'Clock A.M.

Upon the Roll being called the following were present—

Mr Barclay. Mr Brumfield. Mr Calder. Mr Clagett. Mr Elliott. Mr Gillespie. Mr Gove. Mr Hess. Mr Hunter. Mr Jones. Mr Phillips. Mr Stewart. Mr Tennant. Mr Trask. Mr Wangar. Mr Speaker. 16.

Absent. Mr Babcock. Mr Dixson. Mr Gray. Mr McDonald. Mr Nelson. 5.

Excused" Mr Curlee. Mr Dean. Mr Fisher. Mr Heaton. Mr Regua 5.

Mr Wangar asked leave of absence for Mr Regua for one day. Granted

Prayer by the Chaplain.

Mr Phillips asked leave of absence for Mr Nelson for one day Granted.

Minutes of the preceding day read and approved.

The Speaker announced Reports of Standing Committees next in order.

Mr Brumfield presented the following report from the Committee on Judiciary

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the Bill entitled "An Act Concerning Official Bonds. have had the same under advisement and have directed their Chairman to report the same back and —

recommend its passage.
W. H. Brumfield
Chairman.

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the Bill entitled "An Act to repeal an act entitled an act defining the time of commencing Civil Actions approved Nov 21" 1862 have had the same under advisement. have directed their Chairman to report the same back and recommend its passage.
W. H. Brumfield
Chairman

A vote was taken, of agreeing to the Committees Report — Carried.

The bills were ordered printed and referred to a Committee of the whole—

Mr Blagett from the Committee on Federal Relations reported the following.

Your Committee on Federal Relations, to whom was referred the concurrent Union Resolutions of the Territorial Council, beg leave to report that they have considered said Resolutions in Committee, and have concluded to refer the same back to the House, and recommend their passage with the following amendment, to wit:

We recommend that all after the words, "Federal" in the 3rd line of the first Resolution be stricken out and other words substituted so that the Resolution as amended shall read as follows.

"That under God the highest allegiance of the American Citizen whether in State, or Territory, is due to the Federal Constitution and the Government established under it;

and that this Constitution confers on the Federal Government full powers to maintain and perpetuate its existence: and whenever the people of any state in any portion thereof attempt to secede from the Federal Union or forcibly resist the execution of its laws, the Federal Government may by warrant of the Constitution supply armed force in compelling obedience to its authority."

We recommend that the words "Severed South" in the last line of the 2nd Resolution be stricken out and the words "Rebellious States" substituted in their place.

We also recommend that all the words of the 3rd resolution be stricken out, and the following substituted in their place— "That as the National Administration is the executive Representative of the Government, upon which under the Constitution devolves the duty of preserving the integrity of the Federal Union, and enforcing the laws throughout our entire public domain! and as this duty cannot be successively performed— without the cordial support of the people of the Loyal States, We therefore pledge to the support of the Federal Administration our united aid in suppressing the present infamous Rebellion— and enforcing the laws at whatever sacrifice of blood and treasure, declaring that the Federal Union shall not be dissolved, and that the old flag shall never be lowered in the face of the Union's foes—

We also recommend that the words "in common with the people of the Loyal North" in the 1st and 2d lines of the 4th Resolution be stricken out. Also that the words "of the North" in the 11th line, also that the word "Cowardly" in the 14th line be stricken out and that the word "unjustifiable be inserted in its place, so that the Resolution so amended will read as follows, to wit:

That in sympathy with the sentiment of every loyal American We condemn and deprecate the attempt of the Emperor of France to seize upon and destroy without excuse or justification the Government of a distracted neighboring Republic and upon the ruins of a free system rear a monarchy at the very threshold of the United States — and that we most earnestly approve the attitude of the Administration in its protest against the unprovoked and unjustifiable usurpation, and in its manifest determination to enforce in spirit and in letter at the earliest practicable moment the cherished principles of the Monroe doctrine —

We also recommend that in the 5th Resolution all after the word "Rebellion" in the first line and before the word "that in the 4th line be stricken out and other words inserted so that the Resolution as amended will read as follows, to wit:

"That the rebellion had its origin in an unholy ambition and lust for power! is antagonistic in its spirit to constitutional liberty and free government and at war with the hopes and happiness of man.

"That our hostility to treason, whether North, or South, whether in word or in act is immutable and uncompromising, and our hope is, that the sword of the Republic may not be sheathed until treason kneels in submission disarmed and defenceless."

We also recommend that the word "devotion" in the 1st line of the 6th Resolution be stricken out and the word "Fidelity" inserted in its place, also that the word "Fealty" in the 3rd line be stricken out, and the word "Devotion" inserted in its place, so that the Resolution as amended will read as follows, to wit:

"That we reaffirm our fidelity to the Federal Government and our Devotion to its Flag! And in the name of the people of Nevada Territory we pledge for their preservation and defense the wealth of our hills the strength of our arms and the loyalty of our hearts — All of which is most respectfully submitted

W. H. Blagett

I concur with the foregoing report with the following exceptions.

I recommend that after the word Government in the 4th line of the 1st resolution be stricken out so that the Resolution amended shall read as follows — "That under God the highest allegiance of the American Citizen whether in State or Territory is due to the Federal Government, and that the Federal Constitution confers on the Government full powers to maintain and perpetuate its existence and wherever the people of any State —

or any portion thereof attempt to secede from the Federal Union or forcibly resist the execution of its laws the Federal Government may by warrant of the Constitution employ armed force in compelling obedience to its authority.

I also recommend that after the word "administration" in the 5th line of the 3d Resolution be stricken out, so that the Resolution as amended shall read as follows. "That we have an abiding confidence in the ability honesty and patriotism of — Abraham Lincoln President of the United States, that we endorse the great acts of his administration — and as the National Administration is the executive representative of the Government upon which under the Constitution devolves the duty of preserving the integrity of the Federal Union and enforcing the laws throughout our entire public domain and as this duty cannot be successfully performed without the cordial support of the people of the loyal States — we therefore pledge to the support of the Federal Administration our hearty aid in suppressing the present infamous Rebellion and enforcing the laws at whatever sacrifice of blood and treasure — declaring that the Federal Union shall not be dissolved and that the old flag shall never be lowered in the face of the Union's foes.

Thomas Barclay.

Mr Mc Donald moved it be made a special order for next Wednesday at 2 O. Clock –

Mr Gillespie moved to amend so the Report shall be printed and made the special order for Wednesday next –

Mr Mc Donald accepted Mr Gillespies amendment carried.

The Speaker announced the next Business in order – Communications from Territorial Officers.

Mr Blagett presented report of the Secretary of the Territory on the Boundary question –

Territory of Nevada –
Secretarys Office –
Carson City Jany 14th 1864

To the Hon the Speaker of the House of Representatives of the Legislative Assembly.

Sir It is necessary that I should report to the Legislative Assembly my course on the difficulty which arose last winter in Honey Lake Valley, concerning the Boundary between this Territory and the State of California – A Collision growing out of a question of Jurisdiction Parising from the uncertainity as to the position of the boundary line occurred at the town of Susanville on the fifteenth of Febry 1863 in which it seems several hundred men were engaged.

Each party had occupied and fortified a house.

Fire arms were used freely

during three or four hours and several persons were wounded.

Hostilities ceased upon an agreement to refer the subject to the Governors of California and Nevada Territory for settlement but yet excitement was great and began to extend beyond the immediate locality of the disturbance serious consequences might ensue.

I telegraphed in relation to the affair to His Excellency Leland Stanford, Governor of California and sent the Hon: J. H. Lovejoy to Susanville to investigate the facts. Upon his return he submitted a written report, which, with accompanying papers is herewith transmitted to your Honorable Body.

Subsequently a special messenger Mr. W. Henderson Esq., arrived bearing an official statement from Jim Hill Mailigh, who had been appointed Sheriff of Roop's County, by Governor Nye. Jim Mailigh stated the facts, asked my advice, and promised to obey my directions in the matter — A promise he faithfully kept.

Accompanying this is Mr. Mailigh's letter; with a copy of my answer in which are quoted my dispatch to Governor Stanford and his reply.

Judge Robert Robinson of Sacramento was appointed by Governor Stanford to confer with me in relation to the Boundary. After ascertaining that the Summit boundary would not be conceded by the California authorities, we drew up an instrument providing, as the best that could be drawn, in fact — that the Governor of the Territory will appoint a Commissioner to meet a Commissioner appointed by

the State of California, to run and permanently establish the boundary line between the State of California and the Territory of Nevada during the present year" (1863).

The 2nd Clause providing that the line should be temporarily regarded as running North through the eastern end of Honey Lake, was proposed by Judge Robinson, and was agreed to by myself on condition that the line South of Lake Bigler, as run by Hidden and Gray in 1862 placing Aurora within this Territory, should be regarded temporarily as the true line, and jurisdiction be accordingly to assumed by Nevada Territory.

To this Judge Robinson did not feel authorized to consent, and the writing was left without signatures, upon a verbal understanding that if approved by the Governor of California the duplicates should be signed by the Governor of that State and of Nevada Territory, and exchanged.

It was not so approved, but submitted by Governor Stanford to the Legislature of California — then in session, and a law was enacted, providing that the Surveyor General of California should run measure and mark the entire eastern Boundary of that State — and requesting the Governor of Nevada Territory to appoint a commissioner to accompany an act in conjunction with said Surveyor General. "Provided that Nevada Territory shall pay all expenses of such persons or persons so appointed"

I send you a certified copy of that Act together with the paper showing Judge Robinson's authority to act

as agent of the State of California and a duplicate of the attempted agreement between him and myself.

There was no law of this Territory authorizing a survey, or the appointment of a commissioner, or the payment of money, on the making of any contract for payment, for defining and establishing the boundary. The calling of an extra session of the Legislative Assembly was urged. Instead of that, I trusted this Legislative Assembly.

On the 16th of May 1863, I appointed Butler Ives, Esqr. one of the most competent surveyors on the Pacific Coast, commissioner for and in behalf of Nevada Territory "to accompany and act in conjunction with the Surveyor General of the State of California in defining and establishing the boundary line between the Territory of Nevada and State of California" and made a contract with said Ives by which he promised and agreed "To diligently, faithfully, and fully, perform all the duties devolving upon him as such commissioner" and prepare and file in the office of the Secretary of Nevada three copies of the maps and field notes of such survey, within sixty days after the completion of the survey, and make to this Legislative Assembly "a full and detailed report of the manner in which the survey has been made."

Said agreement also contained the following clause. "And as consideration for said services, to be performed by said Butler Ives, said Orion Clemens, Governor of the Territory

of Nevada, in the name of the people of said Territory of Nevada. To pay as compensation to said Butler Ives - the sum of three thousand dollars, in gold and silver coin of the current money of the United States - Said sum of money to be so paid to said Butler Ives thirty days after the adjournment of the next (this) Session of the Legislative assembly of the Territory of Nevada

It was stipulated that this three thousand dollars should be payment in full of all expenses as well as services of himself and assistants -

The detailed statement referred to will doubtless be made by Mr Ives during your Session.

In conjunction with Mr Kidder who was appointed by the Surveyor-General of California - Mr Ives ran the line from the initial point on Lake Bigler, North to the Southern Boundary of Oregon, and South to within about a degree - of the Southern Boundary of the Territory When the severe cold, and other difficulties, compelled a suspension of the labors of the commission -

But the important points were gained of showing the true location of the boundary line in the Honey Lake region - and thus preventing further difficulty; While, in the South, upon the running of the line under this commission, the State of California immediately yielded a jurisdiction long maintained over the rich Esmeralda mining region, and the position of the line and respective jurisdictions of California and Nevada are now clearly known,

however there are settlements along our western border—

Accompanying this is a copy of my appointment of Mr Ives as Commissioner together with a duplicate of our agreement, and his bond for arms furnished for protection in going through the Indian Country, and the invoice and voucher for the arms— All of which is respectfully submitted by.

Your Obedient Servant
Orion Clemens—
Secretary of the Territory

Carson City Feby 28th/863

To
His Excellency Orion Clemens Acting Governor of Nevada Territory.

Sir.

In accordance with your instructions given to me on Saturday the 20th instant I proceeded with all possible dispatch to Susanville County Seat of Roop County N.T. for the purpose of making a strict and thorough examination as to the cause of the difficulties existing between the authorities of Plumas County and the authorities and citizens of Roop County.

I found upon my arrival that an agreement had been entered into between the Belligerents, in the shape of a written report or statement agreed upon and signed by a committee of four. two of whom were selected by the citizens of Roop County and two by the invading force from Plumas County which statement you have before you— Consequently it

is unnecessary for me to embody it in this, as I am thoroughly convinced the whole originating causes, or facts are therein contained, but there are other matters connected with this most unfortunate collision that I deem my duty to lay before your Excellency. and which will undoubtedly arrest your serious attention, as unless most decisive and prompt measures are taken trouble of a terrible character, as between California and our Territory will most certainly ensue.

The Settlers of Honey Lake Valley from its earliest history have been of a peculiar character, fearless, self reliant hospitable willing at all times to render justice to all conducted with them. and ready "if may be so much so" to avenge promptly a wrong committed upon themselves. or those who may be connected with them—

This character is as necessary as gunpowder in the protection of our frontiers and has been the bulwark which has, since the earliest period of our Territorial History defended us repeatedly and promptly from the depredations of our savage and marauding neighbors within and contiguous to our Territorial limits

I make these remarks, simply to show to your Excellency the character of the people of that portion of our Territory— well knowing that your excellency will readily draw the inference that they are a class of our population that are not to be trifled with, when they consider that their dearest interests are at stake, or their rights are being trampled upon, as has been amply and fully proved — not only

in the unfortunate collision just transpired but in many former instances.

The mass of the citizens of Honey Lake Valley and the settlements contiguous thereto, have ever from its earliest settlement — claimed that they were, and of full and first right, ought to be, citizens of — first, Utah Territory, (the laws of which were thrown over them) and secondly, Nevada Territory — the Legislature of which, at its last session, took decisive steps by throwing her laws over them — in accordance with the expressed wishes of almost the entire body of that people, as well as in the belief, that ever should they prove to be within the jurisdiction of California when the division line shall be determined that California will be just and magnanimous enough after learning as they certainly have, their desire to be come incorporated in this Territory = to cede the same and cease to prosecute them with her onerous jurisdiction. Of any onerous jurisdiction — from the following facts given by themselves.

"First" they are often thus called by the authorities of Plumas County a distance of forty miles as jurors or witnesses, in the most trivial cases. at all seasons of the year oftentimes having to remain at the County seat of Plumas County twice or account of the great depth of snow, or storms upon the mountains making it extremely dangerous to life and limb to undertake the journey home — thereby suffering great loss —

and creating confusion and derange-
ment, in all their affairs both finan-
cial and social—

2nd They have been, and are
Socially, Financially, and Geo-
graphically, connected with this
Territory, its People and its every
interest by an almost impassable
Mountain barrier, between themselves
and the source of judicial and
Executive authority of California.
So much so, as to render the execu-
tion of law either criminal or
civil excessively burdensome to them—
independent of the fact that speedy
and prompt justice necessary to the
maintenance of order cannot be
meted out—

3rd That even should
they be within the jurisdiction of
California, which they do not acknowl-
edge as is amply proved by their
late acts— the formation of a new
County under the jurisdiction of
California, as has been suggested
by certain parties would be burdensome
owing to the sparseness of the pop-
ulation over the portion of Territory
proposed that to support a County
Government, would render taxation
intolerable, and leave them with-
the reasonable hope of the speedy
settlement of their difficulties—

In speaking of a sparsity
of population, I have only ref-
erence to a county which might
be organized under the juridic-
tion of California on the disputed
track, as it is an indisputable fact
that at least one half, if not two-
thirds of the population of Honey
Lake and Long Valley are within—

the absolute jurisdiction of our Territory, consequently, in dividing the population, by placing them in two counties - making two feeble; almost helpless counties instead of one full of vigor - and giving promise of prosperity & independence would be to place them under a grievous burden and work lasting wrong upon them and their descendants.

Many other reasons apparently trifling in themselves individually, but in the aggregate are of much importance and vexatious and harassing in this character, are given by the people of that region. Why they should be disconnected from California and be annexed to this Territory, should they be found outside of our limits.

The people under the armistice as agreed upon by the contending parties are left - totally without law, which is certainly, not only very inconvenient, but very unjust to the business men of that community saying nothing about transactions of a criminal nature that may and in fact will arise in consequence of the wrong acts of lawlessness of whom no community is free -

There is really no protection to life or property, under such a state of circumstances, and should it be continued for any length of time, a total disorganization of all the relations of life must necessarily ensue - and wrong and outrage run rampant

Independent of these facts should the authorities of Tuolumnes County attempt to enforce her juris-

diction in the least matter they will immediately come in contact with as brave and determined a body of men as ever raised a rifle
and the sequence will be a bloody border warfare of the most desperate character which will result in a total destruction of the kindly feeling that does and should ever exist, between our elder sister California and ourselves —
As I have heretofore stated all law is suspended and consequent upon this fact the effect has even reached the common schools of that region — they all having been immediately suspended as the Superintendent of Public Instruction know not where they are to draw their monies from to pay teachers engaged in educating the children, who are thus thrown without the pale of educational privileges — This state of affairs must not continue in that region, as it will induce a similar state of affairs all along the border, and in behalf and by urgent request of the citizens of that portion of our Territory as well as on behalf of the whole Body of the Peaceloving citizens, not only of our Territory, but of the Border Counties California urges a prompt and decisive settlement of the difficulties by immediate action, in connection with the Legislative and Executive authority of California by re changing the county boundaries of Plumas County to the summit or dividing ridge between her and ourselves — as to prevent a recurrence of the

much to be regretted bloodshed, by so doing, we may in time, remove all constitutional, or other objections that may exist either actual or supposed, in the minds of the California people in reference to the boundary line as proposed by Congress in our organic Act

All of which respectfully submitted

John. K. Lovejoy
Commissioner.

Copy of letter to Sheriff of Roop County with regard to conflict of jurisdiction

Executive Department.
Carson City March 3d 1863

Wm. Hull. Raleigh Esqr.
Sheriff of Roop County
Nevada Territory.

Sir.

Your statement of the difficulties caused by conflict of jurisdiction between the authorities of Plumas County California, and the authorities of Roop County, Nevada Territory, has been handed to me this evening by the Special Messenger Deputy Sheriff Parkinson.

Also I received from him a copy of the agreement made at the "Peace Meeting" quoted in your statement

And also the statement of the Committee of Citizens. two of each side also from Hon J. K. Lovejoy whom I sent to your County as agent. I have received a written report and certain statements of the wishes of the people of Roop County with a large number

of signatures relative to the settlement of the boundary — Copies of all these papers have been made and to morrow or next day will be forwarded to Governor Stanford with a letter from myself in which I shall endeavour to show the propriety of the withdrawal of California jurisdiction from the Territory east of the Summit of the Sierras —

No effort will be omitted to this end and in the meantime allow me to advise and strongly urge you to abide faithfully and partially by the agreement made at the "Peace Meeting" which I think was conceived and agreed to in a nice and thoughtful spirit —

The evils you enumerate as the result of the entire absence of the exercise of jurisdiction within the disputed limits, under the agreement made, are admitted! but this will only be temporary! while if either party break the compact to refrain from jurisdiction, other conflicts may ensue in which other Counties in California may be involved with Plumas on one side! and other Counties in Nevada Territory may be involved with Roop on the other, and thus the evils widen and strengthen till they pass beyond control —

To prove to you that neither the Governor of California nor myself is indifferent or idle in the matter. I add the following copies of dispatches sent and received by Telegraph

Territory of Nevada.
Executive Department
Carson City, February 21" 1863

"Governor Leland Stanford.
Sacramento Cali-

Sir:

I have received information from Honey Lake that the authorities of this Territory and California have come in conflict, a Sheriff and posse comitatus of one hundred and fifteen men from Plumas County were resisted by thirty five men of Roop County. Six men wounded. after the conflict a suspension of hostilities was agreed upon and differences submitted to Governors of California and Nevada

An agent from me has gone to Honey Lake to investigate. Action of last Legislature renders it necessary for me to sustain the action of the Roop County Officers — What course do you propose to pursue!

It is probable action will be taken by the California Legislature, requiring Legislative action here, an extra session can be called. Answer by telegraph

Orion Clemens.
"Acting Governor of Nevada
Territory

Executive Department
Sacramento Feby 27" 1863

"To Hon Orion Clemens
Acting Govr of Nevada.
In consequence of absence from the Capitol — I could not reply earlier to your despatch in relation to difficulties between citizens of this State and some of those of the Territory of Nevada = I regret much more should have arisen this serious difficulty = But we will

meet in the spirit of kind neighbors, and adjust it as speedily as possible
I will send an agent to ascertain the facts and confer with you personally
Leland Stanford —
Gov of California

Hoping that this will convince you that there is a prospect of an amicable and honorable settlement to be effected as speedily as practicable
I am Sir —
Very Respectfully yours
Orion Clemens
Acting Gov of Nevada Territory

Virginia City Feby 18th 1863.

To the Hon Orion Clemens Secretary and acting Governor of Nevada Territory
Dear Sir.

The following statement is made to you for the purpose of obtaining your advice and direction in the premises, and also to request you to have a conference with the Governor of California respecting Nevada jurisdiction in Roop County as now defined by law, and also as to the eastern boundary line of said State, whether the same does in any way conflict with the boundary lines of this Territory as laid down in the Organic Act. About three weeks ago an injunction issued out of the Probate Court of this County at the suit of C. J. Emerson against Wm. A. Young an acting justice of the Peace under the laws of California commanding him to refrain from the exercise of jurisdiction as such justice in the County of Roop and said Territory. The injunction was disobeyed by him —

and for such disobedience he was arrested and fined one hundred dolls for a contempt of Court. Subsequently on information and complaint made the County Judge of Plumas County issued a warrant for the arrest of John S. Ward Probate Judge and myself charging us with usurpation and intrusion into office without legal authority. ~~Upon these warrants~~ We were both arrested, by the Sheriff of Plumas County, and his deputy, and immediately started for Quincy, County Seat of Plumas County, but owing to the weather, and a heavy fall of snow the night previous, our trip was abandoned. (I should state here that Judge Ward was rescued from the custody of the Deputy Sheriff, by a body of citizens, of whom the Hon Isaac Roop was one.) before the abandonment of the trip. The Sheriff of Plumas finding that resistance would be made to the service of his warrants, returned to Quincy ~~the following~~ the following day, raised a posse of one hundred and eighty men and one cannon, and returned to this place on Saturday last for the purpose above stated. Previous to this however and upon the first arrival of the Sheriff of Plumas in this valley, proceeding by injunction had been instituted against all of the County officials of Plumas Co. in the name of the People of Nevada Territory, at the relation of Isaac Roop. The writ was served on, and disobeyed by the Sherriff of Plumas County, and his deputy. The Sheriff escaped but the Deputy was arrested and brought before the Probate Judge,

who issued the injunction to answer for a contempt of Court but was discharged because of an agreement between him and the citizens that he should return to Quincy, prevent the Sheriff from bringing over his posse, procure and have served an injunction upon all the County Officials of Roop County, which order served was to be obeyed until the Supreme Court of the State of California should finally pass upon upon the question of jurisdiction. (This return was presented by snow.)

On the arrival of the Sheriff of Plumas with his posse, the same citizens who made the agreement with his deputy were called together at the request of the Sheriff of Plumas, and this and this informed by him, that he did not concur in the agreement, therefore not bound thereby - Judge Ward and myself were at once re-arrested, but not confined. During the evening we were both taken by a Body of Citizens, and placed in a log cabin and strongly guarded - Runners were sent in every direction to inform the Citizens of the contemplated arrest, and by the next morning a large body of armed citizens congregated at this place fortified the Log Cabin, provided themselves with munitions of war, provisions &c - Signifying to the Sheriff and his posse that no arrest under California Law could be made - Some days before this occurrence and in anticipation of trouble with the California Authorities "The Sheriff having refused to obey an injunction" I issued a proclama-

tion to the people, of this County and Territory calling upon them to join my posse to assist me in putting down any and all resistance by armed bodies of men, to the due execution of the laws of the land and to maintain peace &c — to which call the people almost unanimously responded.

The Sheriff of Plumas, seeing the condition of the Nevada people early on Sunday morning the 15th instant, he marshalled his men into a large barn nearly opposite the cabin occupied by my men — and commenced fortifying the same by taking some heavy logs designed for a house, which lay about thirty yards distant — whilst thus engaged they were ordered by my men to cease moving the logs — the order was disobeyed the third time, when my men fired. wounding one man seriously in the thigh breaking the bone. The fight then became general between the two parties, and continued for several hours, doing no serious injury except the wounding of several persons, among whom was Judge Ford, who was shot through the fleshy part of the breast and right arm, the wound is not considered fatal.

A cessation of hostilities was then agreed to from time to time till nine O. Clock

The next morning the 16th instant, during which time the citizens again assembled and had the Sheriff of Plumas County and myself come before them, which when done, the Sheriff made a proposition for settlement, which was "That each of the parties should disband their forces,

appoint a committee of conference, and correspondence consisting of four persons two from each side, whose duty it should be to represent the circumstances of this affair to the respective Governors of Nevada Territory and California requesting them to settle if possible the unsettled boundary between the two Governments; That all jurisdiction on both sides, should cease until such settlement was had, or until the respective Governments should authorize their officials of the disputed Territory to proceed." This proposition was acceded to, and the proceedings of the meeting signed by the Sheriff of Plumas County and myself, after which the Sheriff and his posse returned to Quincy.

If this agreement is lived up to then we are wholly without the protection of Law, life or property, the begining of suits, the administration of oaths, the acknowledgements of deeds — the arrest of murderers and thieves. all cease. There are also many cases of great importance, either commenced or about to be commenced in our courts, which are stopped.

hence the great necessity of immediate action. I am well aware that this contract or agreement is altogether without authority of law, and contrary to public policy — but under the existing circumstances, I did it to prevent blood shed —

My forces were so arranged, and of such a character that if the fight had been resumed it would have resulted in the utter annihilation of the Sheriffs entire posse.

The citizens were terribly exas—

perated, so much so that reason held no sway whatever. I will obey your direction in the matter

Shall I go on as Sheriff of this County and continue to resist California authority, or must we wait until California informs us whether we are or are not within her jurisdiction—

I am satisfied that the people will not long acquiesce in the present state of affairs. Are we a government and have we authority within the boundaries of Lake County now Roop, as provided by the laws of the Territory? Pleas let me hear from you, at your ~~earliest~~ convenience And give me full direction how to proceed, by so doing you will greatly oblige your humble servant—

Wm. Hill. Naileigh—
Sheriff Roop Co—
Nevada Territory

Susanville. Honey Lake Valley
Feby 16th 1863

To his excellency, James W. Nye.
Governor of the Territory of Nevada—

At a meeting of the citizens of Honey Lake Valley, held on the 16th of February 1863. We the undersigned were appointed a committee to report to your excellency, on behalf of the people of Honey Lake Valley; upon the unfortunate collision that took place between the officials of Plumas County, Cal and the officials of Roop Co. N. T. knowing nil of the question of jurisdiction, and further to request you in conjunction with the Gov of California to make as speedy arrangements as possible, to effectually settle the question

of jurisdiction, a matter of vital importance to the citizens of this valley.

Soon after the organization of Roop Co. N. T. A writ of injunction was served upon Wm. S. Byington who was then acting as justice of the Peace in & for Plumas Co. Cal. Commanding him to cease all judicial proceedings within the limits of Roop Co. N. T. who failing to comply with the requirements of said injunction, was arrested & brought before John. S. Ward – Probate Judge of Roop Co and fined one Hundred Dollars – for a contempt of Court – Subsequently upon the complaint of Wm. N. De Haven warrents were issued by E. T. Hogan County Judge of Plumas Co. Cal. for the arrest of John. S. Ward & Wm. H. Nailigh – The warrents were placed in the hands of E. Peirce. Sheriff of Plumas Co Cal who proceeded to make the arrests – Peirce started with Nailigh across the mountains for Quincy but owing to the depth of the snow was unable to get his prisoner over –

Deputy Sheriff Byers who had Judge Ward in charge, owing to some delay, was overtaken by a number of citizens, who rescued Ward, & brought him back. In the mean time Peirce crossed the mountains with a view to raise men sufficient to arrest the prisoners; and Nailigh Sheriff of Roop Co issued a proclamation calling on all able bodied citizens to arm and hold themselves in readiness to aid in the execution of the laws, put down insurrection &c. On the 14th inst Sheriff Peirce at the head of about one Hundred armed with deadly weapons, marched

into Susanville & occupies the upper end of the town — Nailigh & Ward with the Nevada forces occupied a small log house, well fortified at the lower end of the town. Early on Sunday morning Pence by a sudden movement took possession of a large Barn about 150 yards from the position of the Nevada party — & nearly opposite.

He he commenced to fortify by moving some large logs close by — to said Barn. The Nevada men who were there in speaking distance named the Plumas Party not to remove the timber, or they would fire. This they repeated three or four times, but the Plumas men seized the timbers and proceeded to carry them away.

Five or six shots were immediately fired by the Nevada party, one only taking effect — wounding a Plumas man severly. Both parties continued to fire briskly for three or four hours. There were but two men wounded on the Nevada side. Viz" Ward & White, both slightly — These are all the casualties known to this Committee resulted from this unfortunate affray. Through the agency of the citizens of Susanville — an armistice was arranged between the belligerent, to last for four hours

These citizens zealously endeavoured to effect a compromise, which resulted in the followed," to wit That Pence as Sheriff of Plumas, and Nailigh as Sheriff of Roop & a committee of the citizens of this valley agreed that each party should disband, that each sheriff should make a report to their respective Government solely in

accordance with the facts & further to urge upon the necessity of taking immediate action for the settlement of this vexed question of jurisdiction. On the main — "the either party to exercise jurisdiction in this valley" and that a committee of citizens should also make a report of the facts of this affray to each of the Governors of Utah of them to take such steps as would bring about a settlement of the controversy as soon as possible —

Without wishing to blame or excuse either party, the committee would state that in all probability each party thought itself justified by law in all its actions.

The Eastern boundary of the State is not definitely known. Some are of opinion it is east of us & others that it is west. For the sake of our Schools it is necessary that we should know where to apply for our school money.

When we are assailed by indians, as we frequently are, it is necessary that we should know where to apply for assistance. For very many reasons it is absolutely necessary that the question should be settled; and that as soon as possible —

Israel Jones,
Dan Murray,
Isaac Roop,
Wm. J. Young,
} Committee

An act to provide for surveying and establishing the Eastern Boundary of the State of California ---
Approved April 27th 1863.

Copy of the appointment of boundary line commissioners
Territory of Nevada
Executive Department
Carson City May 16th 1863

Know all men by these presents that Butler Ives, a citizen of the Territory of Nevada, is hereby appointed commissioner, for and on behalf of said Territory, to accompany and act in conjunction with the Surveyor General of the State of California, in defining and establishing the boundary line between the Territory of Nevada and the State of California -

In witness whereof I have set my hand, and affixed the Great Seal of the Territory

L. S.

Done at Carson City, Nevada Territory, this 16th day of May in the year of our Lord one Thousand Eight Hundred and Sixty three

Orion Clemens -
Secretary, and acting Governor.

Mr Gillespie moved the report and the accompanying documents be laid on the table.

Carried.

The Speaker announced notice of the introduction of bills next in order.

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to amend an act entitled an act to grant the right to construct a toll road from Virginia City to Truckee Meadows and Steamboat Valley in Storey and Washoe Counties" Approved Nov 29" 1861.

Mr Trask gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act amendatory to an act entitled an act to regulate proceeding, in civil cases in the Courts of Justice of this Territory of Nevada. — "Relative to jurisdiction of justices of the Peace.

Mr Tennant gives notice that he will, at some future day ask leave to introduce a Bill entitled "An Act to grant Thomas. M. Luther and associates the right to construct and maintain a Toll Road from Austin to the Town of General in Smoky Valley Lander County

Mr Morgan gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act. To extend the time for the payment of taxes in Storey County.

Mr Calder gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act authorizing E. Dexter, J. N. Dexter, and J. M. Baldwin to construct and maintain a Toll Road in Esmeralda County.

Mr Stewart gives notice that he will, at some day ask leave to introduce a bill entitled "An Act to amend an act entitled an act to create Counties and establishing Boundaries thereof

Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to authorize S. C. Mellington and his associates to establish a Toll road, Commencing at Hustis Sandies Co. thence by the way of Walker Lake to the town of Wellington in Esmeralda County

The Speaker announced the introduction of Bills next in order.

Mr Stewart introduced a bill entitled "An Act to amend an act entitled an act to regulate proceedings in criminal cases in Courts of justices. Approved Nov 26" 1861=
Read twice by title and referred to the Committee on Judiciary
Also a Bill entitled "An Act providing for the submission of the Constitution for the State of Nevada to the people of Nevada Territory for their adoption or rejection.

Mr Gillespie moved

instead of being referred to the Judiciary Committee it be referred to the Committee of the whole — Carried —

Mr Elliott introduced a bill entitled "An Act relating to the sale of Real Estate and mining Claims belonging to the Estates of deceased persons" — Read twice by title and referred to the Committee on Judiciary —

Mr Barclay introduced a bill entitled "An act to provide for the location of Coal Lands in Nevada Territory" — Read twice by title and referred to the Committee on Mining affairs —

Mr Brumfield introduced a bill entitled "An act prescribing the manner of commencing actions by or against Counties" — Read twice by title and referred to the Committee on Judiciary —

Mr Gillespie offered the following:

Resolved — That the Secretary of the Territory be, and he is hereby requested to furnish for the use of the House, one of the latest and most improved maps of the Territory

Mr Dixson moved the resolution be adopted. — Carried.

Mr Gillespie moved the House now go into a committee of the whole on the Stewart Bill entitled "An Act providing for the submission of the constitution for

the State of Nevada to the people of Nevada Territory for their adoption or rejection

Mr Blagett moved to adjourn — Carried.

Ninth days Session — Jany 20th 1864.

Pursuant to adjournment the House was called to order at 10 O'Clock A.M. Upon the Roll being called the following were present —

Mr Barclay. Mr Brimfield. Mr Blagett. Mr Dean. Mr Dixson. Mr Elliott. Mr Gove. Mr Heaton. Mr Hess. Mr Hunter. Mr Jones. Mr Regua. Mr Stewart. Mr Trask. Mr Wongan. Mr Speaker. 16.

Absent.

Mr Babcock. Mr Balder. Mr Cutler. Mr Fisher. Mr Gillespie. Mr Gray. Mr McDonald. Mr Nelson. Mr Phillips. Mr Tennant — 10.

Prayer by the Chaplain.

Minutes of Saturdays proceedings read and approved.

The Speaker announced the following additional Standing Committees

Executive Department —
Gillespie
Balder —
Elliott —

Public Institution —
Phillips. Gove. Jones —

The Speaker announced the notice of introduction of bills next in order –

Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled "An act to amend an act entitled an act authorizing Ellen Redman and others their associates and successors to construct and maintain a Toll Bridge across Carson Slough, approved Dec 19th 1862.

Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled "An act to amend an act entitled an act to regulate proceedings in Civil cases in Courts of Justice approved November 29th 1861 –

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An act relating to parties to Civil actions –

The Speaker announced the introductions of Bills next in order –

Mr Clagett introduced a Bill entitled an act to incorporate the City of Star in the County of Humboldt –

Mr Clagett moved the rules be suspended and the Bill engrossed. Roll Called on the suspension of the rules –

Carried Ayes 16
Nays 0 –

The vote being taken on the engrossment — carried — Bill ordered engrossed —

The Speaker announced motions and resolutions next in order —

Mr Stewart offered the following Resolution

Resolved. That his Excellency the Governor be and is hereby requested to furnish the report of the Territorial Superintendant of Public Instruction to this House.

Adopted.

Mr Gove moves that a Committee of two be appointed to wait on his Excellency the Governor, and ascertain whether he had any further communications to make to the House —

Mr Dixson moved its adoption. Carried —

The Chair appointed Mr Gove and Mr Stewart a Committee.

Mr Stewart offered the following Resolution.

Resolved That the Fireman of this House be and is hereby authorized to employ an assistant

Mr Brumfield offered an amendment striking out the word Fireman, and inserting Sergeant at Arms, and adding to the Resolution — Who shall also act as messenger during the absence of the messenger —

Mr Stewart accepted the amendment —

The Resolution as amended reads. Resolved That the Sergeant at arms of this House be and is hereby authorized to employ an

assistant who shall act as Messenger during the absence of the Messenger — The question being taken on the adoption of the Resolution as amended — Carried —

The Speaker presented the Report of the Territorial Auditor.

Report
of the
Territorial Auditor
for the year 1863.

Auditors Department.
Carson City N. T. Jany 12th 1864.

To the Honorable the Council and House of Representatives.
Gentlemen. — In compliance with the Act defining the duties of Territorial Auditor, the undersigned respectfully submits his report of the fiscal affairs of the Territory, commencing Nov 1st 1862 the date of the last report, and ending Dec 31st 1863.

On the first of Sept. last the Hon Perry E. Childs resigned the office of Territorial Auditor, and on eight of the same month, the Governor, pursuant to the authority vested in him, appointed me to fill the vacancy, and I immediately entered upon the discharge of the duties of my office.

I regret that I am only able to submit to the consideration of your Honorable Bodies, an estimate of the incoming revenue to the Territory, instead of the actual receipts. The law does not compel the payment of Taxes till the second Monday of January.

and thus far, comparatively nothing has been paid into the Territorial Treasury. The Tabular statements will be found arranged as follows —

A.

Statement of Receipts into the Territorial Treasury, from Nov 1st 1862 to December 31st 1863 — inclusive —

B.

Statement of warrants issued from November 1st 1862, to Dec 31st 1863, inclusive —

C.

Statement of amount of Taxable Property, as per returns made by County Auditors for 1863.

D.

Condensed Statement of Balances in the several Funds Dec 31st 1863.

E.

Estimate of Receipts from all sources of Revenue for the year 1864.

F.

Estimate of Expenditures for the year 1864.

G.

Total amount of Warrants issued since the commencement of the Territorial Government, to Dec 31st 1863, inclusive together with the amount paid to above date

It will be gratifying to your Honorable bodies to observe the increased prosperity of the Territory during the past year, as evinced by the augmentation of the assessed value of the real and personal property,

and a corresponding increase of the Revenue. The total amount of taxable property for the year 1862 was $9.692.300.05 and the Territorial proportion of taxes arising therefrom $38.796.20 — For the year 1863 it is in round numbers $25.388.423.37 and the Territorial proportion of taxes is $127.942.11, an increase of over two hundred per cent —

Under the present law, the Territory has but one source of revenue, viz., one half of one per cent on the taxable property of the Territory, and quite a large proportion of that is absorbed by the various County officials, in assessing, auditing collecting and disbursing the revenue —

I would recommend to your consideration the propriety of so amending the Revenue Law as to free the Territory from all expense of this nature — In order that you may be convinced of the necessity of this, and see at a glance the large expense the Territory incurs from these sources, I have appended a table to this report, showing the amount of taxes due the Territory from each County for the year 1862, and the expenses paid by the Territory to the various County Officials, together with the actual amount that found its way into the Territorial Treasury.

I would also recommend that Section "Thirty three" of the Revenue Act" be so amended as to read "Second Monday in December" instead of "January." As it now reads it utterly precludes the possibility of reporting any money in the Treasury

at the time of the convening of the Legislature. If amended as I propose, it will enable the Treasurer to report a considerable amount in the Treasury at the close of the year. I trust this will met with your approval as it will very materially aid both the Treasurer and Auditor in making future reports.

I would also call your attention to a suggestion made by my predecessor in his last report relative to the Territory being entitled to a portion of the "Poll" and "Licence" Tax. I fully agree with him that our revenue law was intended to be similar to that of California — which directs that fifty per cent. of the Poll Tax shall be paid into the State Treasury and forty per cent into the County; also that one half of the licence tax shall go to the State and the other half to the respective counties in which the licences are issued. The present source of revenue is entirely inadequate to carry on the machinery of the Territorial Government. With the revenue that would accrue from a portion of the Poll and licence Tax the outstanding indebtedness could be liquidated and a balance remain in the Treasury for future use —

You will see in the tabular statement of the receipts from all sources, that Lyon is the only County that has enforced the Sunday law — By so doing she has increased the School fund to the amount of $1.023.10 — The Act entitled "An Act for the better observance of the Lords day as it now stands upon our Statutes —

is totally inoperative. I recommend that the Prosecuting Attorneys be instructed to enforce the law, so that if men will openly violate it, they may do so for the benefit of the cause of Education —

Had it been enforced in all the Counties as in Lyon during the past year, it would have increased the School fund at least Six Thousand dollars.

You will also observe that the Two per cent on the Gross Proceeds of all Toll Roads and bridges, has been quite a source of revenue to the School Fund. I regret exceedingly that I am unable to report a larger amount; but I have labored under the difficulty of not having a complete list of all the Chartered Roads and bridges in the Territory, and the address of the proprietors —

I have endeavored to obtain this information from the several County Officials, but thus far without success. In two instances, the proprietors have refused to pay the tax — on the ground that it is unconstitutional, and in one instance that it caused them to expose their business every quarter — I have had an agreed case against the Steiger & Tilton Road submitted; as a test case to Judge North at the present term of Court, in Washoe County.

I have as yet heard nothing from it. What I do, I shall submitt it to your Honorable bodies —

As regards the tax levied by the last Legislature upon the "Gross proceeds of the mines" I have nothing official to report, except that I am informed by the Deputy Assessor of Storey County, that the —

assessment has been made, but nothing collected, as it is proposed to resist the law—

The total amount assessed in Storey County is $4.907.121.27—

According to the official report of the Gold & Silver Mines their gross proceeds, for the past year were over $5.600.000— You will no doubt give this the consideration it deserves.

You will see by the tabular statement, that the entire revenue, of 1863 will be absorbed, in payment of the outstanding indebtedness still leaving a balance unpaid of about fifteen thousand dollars—

This indebtedness, together with the current expenses of the several Departments of the Territorial Government for the year 1864, cannot be paid until the revenue of the present year is collected, which under the existing law cannot be done till January 1865.

This you will readily perceive is damaging in the extreme to the credit of the Territory—as many holders of warrants are compelled to put them in the market, where they are eagerly bought up by "sharpers" at a ruinous discount.

Another objection to this system of drawing warrants on the Treasury when there are no funds therein, is that the Territory pays two or three prices for everything aside from salaries—

In order to remedy this, I would recommend to your Honorable bodies the propriety of putting the Territory upon a cash basis—

To do this, I recommend that bonds to the amount of fifty thousands

dollars be issued from time to time as the necessities of the Territory may require. These Bonds, I think could be negotiated in San-Francisco on favorable terms —

I trust this suggestion will meet with your approval, as it will at once relieve the embarrassed condition of the Territory, and place the warrants nearly or quite at par —

I am of the opinion that a considerable source of revenue might be derived from the incorporation of mining and other companies —

The only fees now paid by such persons, go to the Secretary of the Territory, as perquisites of his office.

Should you fix a fee, say of twenty dollars, upon all companies filing articles of incorporation with the Territorial Secretary — to be paid into the Treasury. I think there could be no objection to it.

The Auditors and Treasurers Departments are very much in need of "Safes" for the protection of their Books and papers — The offices are in a building wholly unprotected from fire, and in such an event it might be impossible to save them —

If it meets with your approval I trust you will make an appropriation for the purchase of a suitable safe for each Department —

I also recommend that you make a special appropriation for official advertisements; I am now obliged to draw warrants for that purpose upon the "Contingent Fund" for Executive as they all emanate from that Department in the way of Election and Thanksgiving Proclamations, Etc —

I think that $15-00 would be sufficient to defray all expense of that nature for the present year.

The Territorial Auditor by virtue of his office is Territorial Librarian. During the past year I have had a room fitted with shelves in the rear of my office, and the books removed thereto. There are about six hundred and fifty volumes, mostly Congressional and State Documents, in the Library.

Congress at its last session made an appropriation of twenty five hundred dollars for the purchase of books, but the money has never been received.

Very Respectfully
Your obedient Servant
W. W. Ross
Territorial Auditor

A.

Statement of Receipts
From Nov 1st 1862 to Dec 31st 1862 inclusive
Property Tax

Storey County	$22,047.06
Ormsby County	4,767.01
Washoe County	4,528.96
Douglas County	1,057.21
Lyon & Churchill Counties	5,411.21
Humboldt County	863.19
Esmeralda County	
Lander County	
Total Property Tax	$38,259.05

Brot forward — $38,259.05

From Toll Road Tax (General Fund) $372.22
From Toll Road Tax (School Fund) 3,573.56
Docket Fee Fund — 96a. 4,733.78

Fines and forfeitures from Lyon County for violation of Sunday Law — (School Fund) 1023.17 = 1023.17

$44,018.10

Note"
The proportion of the Federal Tax of the above property Tax is $6,118.83

B.

Statement of Warrants issued from Nov 1st 1862 to December 31st 1863 inclusive
= Disbursements =

Appropriation account (Final Claims)	$ 8,811.31
Territorial Prison account —	10,071.36
Contingent Expense account Executive.	1,386.50
Contingent Expense account. Auditor. and Treasurer Nov 1st 1862 to Jany 1st 1863	1,201.50
Auditors Salary. two years.	3,000.
Contingent Expense account, Auditor Jany 1st 1863 to Jany 1st 1864	2000.
Auditors Clerk Salary	1200.
Treasurers Fees —	2234.53
Contingent expense account Treasurer Jany 1st 1863 to Jany 1st 1864	1800.
Treasurer's Clerks Salary	950.
District Attorney's account	7,379.14
Board of Examiners	4,456.43
Supreme Judge's Salary, including docket fees 967.77	25,263.14
Adjutants-Generals Salary	1,233.50
Superintendants of Public instruction Salary	1,323.30
Superintendent of Public instruction Expense	439.
Territorial Secretary's Salary	1416.69
Territorial Secretary Copying County Records	5,713.30

= Disbursements continued =

U. S. District Attorney's Salary	$ 187.50
Members of Legislature 1862	9.940.
Legislative attaches 1862	7,575.
Washoe A. M. and M. Society	2.000.
State Constitutional Convention	3.000.
Interest on warrants	617.92
Interest on Territorial Bonds	1.000.
Federal Fund (Territorial Proportion of Twenty Million Tax	4542.33
Total	$ 108,734.43

6.

State of amount of Taxable Property as per returns made by County Auditors for 1863 —

= Storey County, =

Amt of Real Estate	$ 9.312.187.50
Amt of Personal property	4.609.375.00
Improvements on real Estate assessed to persons other than the owners thereof	358.060.00
Total	$ 14.279.822.50

= Ormsby County. =

Did not Report separately =

Amt of Real Estate Amt of Personal property Improvements on Real Estate assessed to persons other than the owners thereof =	$ 1.983.665.26
Total	$ 1.983.665.26

= Washoe County =

Amt of Real Estate	$1,375,589.00
Amt of Personal property	1,257,013.00
Improvements on real estate assessed to persons other than the owners thereof –	1000.00
Total =	$2,633,602.00

= Douglas County =

Amt of Real Estate	$427,505.00
Amt of Personal Property	345,277.57
Improvement on real estate assessed to persons other than the owners thereof "	
Total —	$772,782.57

= Lyon and Churchill Counties =

Amt of Real Estate	$1,375,763.00
Amt of Personal property	994,451.86
Improvements on Real Estate assessed to persons other than the owners thereof =	
Total =	$2,370,214.86

= Humboldt County =

Amt of Real Estate	$297,975.00
Amt of Personal property	241,524.25
Improvements on Real Estate assessed to persons other than the owners, thereof –	
Total =	$539,499.25

= Esmeralda County =

Amt of Real Estate	$ 759,575.00
Amt of Personal Property	396,031.00
Improvements on real Estate assessed to person other than the owners thereof	
Total	$ 1,155,546.00

= Lander County =

Amt of Real Estate	$1,159,035.00
Amt of personal property	684,256.00
Improvements on real estate assessed to persons other than the owners thereof —	10,000
Total —	$1,853,291.00

= Recapitulation =

Storey County	$14,279,822.57
Ormsby "	1,983,653.26
Washoe "	2,633,602.00
Douglas "	772,782.57
Lyon and Churchill Counties	2,370,214.86
Humboldt County	539,499.25
Esmeralda "	1,155,546.00
Lander "	1,853,291.
Grand Total =	$25,588,423.37

Note.— of the above Grand total the Territorial proportion of Taxes arising therefrom will be $ 127,942.11

D

Condensed Statement of Balances in the Several Funds - Dec 31st 1863 =

General Fund	$821.38	
School Fund	1224.35 =	$2045.73

G.

Estimate of Receipts from all sources of revenue for the Year 1864 =

From property tax for 1863	$95.000
From toll roads 1864 (School Fund)	4.000
Total	$99.000

Note. — five per cent of the above property tax goes to the School Fund.

H.

Estimate of Expenditures for the year 1864 = Salaries

For Salary of justices of Supreme Court =	$12.600.
" " Secretary of Territory	1.700.
" " Auditor	1.500.
" " Adjutant General	1.000.
" " Supt Public Instruction	1.200.
" " U. S. District-Attorney	750.
" " Auditors Clerk	1.200.
" " Treasurers Clerk	1.200.
Treasurers Fees —	3.500.
Total =	$24.650.00

= Contingent Expenses =

For Executive Department (Special)	$3000-
Treasurers Office	2000-
Auditors Office	2000-
Supt Public Instruction	500-
Sheriff's Attendance on Sup Court	200
Total	$7.700.

= Miscellaneous =

For	Support of Territorial Prisoners.	$15,000
"	Official Advertisements	1,500
"	Bonds and int due Feby 1st 1864	6,000
"	Blackburn's Warrants and interest (now due)	4,600
"	Standing appropriation to Jr. A. M. and M. Society	2,000
"	Territorial Secretary Copying County Records	4,000
"	Members of the Legislature	10,920
"	Legislative Attaches	7,500
"	Interest due on Bonds August 1st 1864	7,570
"	Governors Private Secretary	1,200
"	Probable deficit on year 1863	15,000
	Total	$68,470

= Support of Common Schools =

Receipts from Toll Road Tax	4000
five per cent. of property "	4,570
Total	$8,570

Grand Total = $109,570.00 =

Ls.

Total amount of warrants issued since the commencement of the Territorial Government to Dec 31st 1863 inclusive, together with the amount paid to above date:

Amount of warrants issued to Nov 1st 1862 (as in last Report)	$46,116.26
Amount of warrants issued from Nov 1st 1862 to Jany 1st 1864	113,039.31

Whole amt of warrants issued $159,153.57
Whole amt of Warrants paid to Jany 1st 1864 55,128.92

Whole amt of outstanding Warrants — 104,029.65
In addition to the outstanding warrants there are Bonds to the amount of — 20,000.

Making the total indebtedness 124,029.65

Of the Bonds 5000. mature Feby 1st 1864
5000. " " " Feby 1st 1865
10,000. " " " Feby 1st 1866
Total $20,000.

Statement of Territorial Tax of 1862, together with delinquencies and expenses of collecting, and actual amount received into the Territorial Treasury.

	Assessment Roll 1862 Terr'l proportion	Delinquent Expense Coll	Rec'd in Terr Treas'y
Storey County.	$25,589.59.	$7,289.11.	$18,300.48
Ormsby "	8,093.03	3,501.51	4,591.52
Mono "	5,828.37	2,066.44	3,761.93
Douglas "	2,139.93	1,145.19	994.74
Churchill & Lyon Counties	6,060.57	2,521.59	3,538.98
Humboldt Co.	722.81	676.73	46.08
	$48,434.30	$17,200.57	$31,233.73

Mr Heaton moved the report be accepted and ordered printed
carried —

The Speaker announced General orders of the day, next in order —

Mr Stewart's Bill No 12. entitled "an act providing for the submission of the Constitution

for the State of Nevada to the People of Nevada Territory for their adoption or rejection.—

Mr Brumfield moved that the House now go into a Committee of the whole— Carried.

Mr Heaton called to the Chair—

Mr Heaton reported that the Committee of the whole have had under consideration the House Bill No 12 Entitled "An Act providing for the submission of the Constitution for the State of Nevada to the People of Nevada Territory, for their adoption or rejection, have made some amendments thereto, and directed the Clerk to report the same back to the House & ask leave to sit again.—
Report agreed to by the House.—
Affirmative 12 = Negative 8. = Absent 6.

Mr Blagett moved to take a recess untill two O. Clock
Carried =

= Afternoon Session =

House called to order at 2.— O'Clock. P.M. Upon the Roll being called the following were present
Barclay. Brumfield. Baldwin. Blagett. Butler. Dean. Elliott Fisher. Gillespie. Heaton. Hess Hunter. Jones. Nelson. Phillips. Regua. Stewart. Tennant. Trask. Wingar. Mr Speaker = 21 =
Absent = Babcock. Dixon.

Gov. Gray McDonald. 5=

Mr Gillespie asked unanimous consent to give notice of the introduction of four bills – Granted=

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a bill entitled An Act to amend Sec 10 of an act entitled an act to provide for the formation of corporations for certain purposes Approved Dec 20th 1862.

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to amend Sec 4 of an act entitled an act relative to District-Attorneys" Approved November 28th 1861.

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a bill entitled An Act to incorporate the Virginia City fire Department –

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act amendatory of and supplemental to an act entitled an act to authorize the incorporation of the City of Virginia – Approved Dec 19th 1862.

The Speaker presented the following communication –

To the Hon Speaker of the Assembly — At the general election held in Sept 1863 for County and Legislative officers. The Proclamation of the Governor omitted to include the officers to be elected in and for Roop County —

An election nevertheless was held wherein the undersigned was duly elected to represent the County of Roop — in the Legislative assembly by a majority of the Electors of the County.

Deeming that as a matter of justice and right, ~~to~~ the citizens of Roop County should be entitled to representation and that I have been legally elected

I claim in behalf of my constituency, the to a seat in the assembly and respectfully ask the immediate consideration of your Honorable Body to the investigation of the subject —

Respectfully &c
John C. Partridge —

Mr. Gillespie moved the communication be referred to the Committee on Privileges and Elections —
Carried and so referred.

The Speaker announced the hour had arrived when the House should consider Special orders —

Mr Blagett moved the House now resolve itself into a Committee of the whole on the Special order of the day —
Carried —

Mr Gillespie called to the chair—

The House went into a Committee of the whole on the concurrent Union Resolutions of the Council—

Mr Gillespie reported that the Committee of the whole have had under consideration = Council Concurrent Union Resolutions — Had gone through therewith — Had made some amendments thereto and directed their Chairman to report the same back to the House & recommend their adoption

Reading of the Resolutions as amended by the Committee of the whole —

1st That under God the Original allegiance of the American citizen, whether in State or Territory, is due to the Federal Constitution and the Government established under it; and that this Constitution confers on the Federal Government full power to maintain and perpetuate its existence; and whenever the people of any State or any portion thereof attempt to secede from the Federal Union, or forcibly resist the execution of its laws, it is the duty of the Federal Government by virtue of the Constitution, to employ armed force in compelling obedience to its authority.

2nd That growing with our growth, and strengthening with our strength is our unfaltering

faith in the ability of the General Government to crush out every trace of Disloyalty in the Rebellious States to beat down with the mailed arm of the Republic, treason, wherever it raises its head in defiance;

To maintain, unbroken, the boundaries of its empire — and undisputed the supremacy of its rule; to restore to peace, harmony, and Union a brave and war worn people, and rear the standard of its authority over every foot of the Rebellious States —

3rd — That we have an abiding confidence in the ability, honesty, and patriotism of Abraham Lincoln, President of the United States, that we endorse the great acts of his administration, and as the National Administration is the executive representative of the Government, upon which under the Constitution devolves the duty of preserving the integrity of the Federal union; and as this duty cannot be successfully performed without the cordial support of the people of the Loyal States —

We therefore pledge to the support of the Federal Administration our — unlike aid in suppressing the present infamous Rebellion and enforcing the laws at whatever sacrifice of blood and treasure, declaring that the Federal Union shall not be dissolved — and that the old flag shall never be lowered in the face of the Union's foes.

4th — That in sympathy with every loyal American, we con —

demn and deprecate the attempt of the Emperor of France to seize upon and destroy, without excuse or justification, the Government of a distracted neighboring Republic, and upon the ruins of a free System rear a monarchy at the very threshold of the United States; and that we most earnestly approve the attitude of the Administration in its protest against this unprovoked and unjustifiable usurpation, and in its manifest determination to enforce, in spirit and in letter, at the earliest practicable moment, the cherished principles of the Monroe Doctrine.

5th That the rebellion had its origin in an unholy ambition and lust for Power! is antagonistic in its spirit to Constitutional liberty and free Government — and at war with the hopes and happiness of Man; that our hostility to treason whether North or South, or hither in word or in arms, is manifestable and uncompromising, and our hope is that the sword of the Republic may not be sheathed until Treason kneels in submission disarmed and defenceless.

6th That we reaffirm our fidelity to the Federal Government, and our devotion to its flag: and, in the name of the people of Nevada, we pledge to their preservation and defense the wealth of our hills, the strength of our arms, and the loyalty of our hearts —

All of which is most respectfully submitted —

The question was taken up on the agreement of the Report of the Committee — Carried —

Mr Blagett moved to suspend the rules and report the resolutions on their final passage —

Vote on the suspension of the Rules —

Ayes — Mr Barclay, Claudin, Blagett, Cruber, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Jones, McDonald, Nelson, Phillips, Requa, Stewart, Tennant, Trask, Mr Speaker — 22.

Nays — None —

Absent — 4.

Carried.

Mr Blagett moved to vote on the Resolutions by Sections —

Mr Gillespie moved an amendment, to take the Resolutions as a whole giving each Member a privilege for the calling for the Ayes and Noes on any particular Section —

Carried —

Mr Blagett called for the Ayes and noes on the third Resolution —

Ayes — Mr Barclay, Claudin, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Requa, Stewart, Tennant, Trask, Mr Speaker — 21

Noes, Mr Blagett, Mr Angar, 2.

Absent, Mr Babcock, Brumfield

Gray — 3. Adopted —

Mr Blagett asked leave to place upon the Journal the following explanation. Leave granted —

Vote against the 3rd Resolution because 1st I do not believe that the Resolution as it now stands, is responsive to the Union Sentiment of the Territory. 2nd Because although I am a firm and consistent supporter of the Federal Government and administration against all of the enemies whether foreign or domestic, yet there are some measures of the administration that may be called its "Great Acts" of which as an intelligent Citizen, I disapprove, believing them to be both unconstitutional and inexpedient. 3rd Because I believe the passage of the resolution threatens the dissolution of the Union Party in the Territory, and the transfer of its political destinies to men, upon whose patriotism and mission I cannot rely.

Wm H. Claggett.

The vote was then taken on the 1st. 2nd. 4th 5th and 6th Resolutions.

Ayes Mr Barclay, Cudlip, Claggett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Reyna, Stewart, Tennant, Trask, Mr Speaker. 22.

No Mr Ingar 1.

Absent Mr Babcock, Brimfield, Gray. 3.

Adopted —

Mr Ingar asked leave to be excused from voting. Objected to, Question on excusing Mr Ingar from voting was then taken and lost.

Mr Ingar asked leave to spread an explanation of his vote upon the Journal —

The Speaker announced the Courtesy of the House would be extended to Mr Morgan until the minutes are read tomorrow morning to explain his vote, and have the explanation placed upon the journal.

Mr Morgans Explanation:

I have voted no because I merely believe the original resolutions expresses the sentiment of the people of this Territory more direct than the Amendment, and while I admit that the Constitution of the United States, is the best guarantee we have for the perpetuation of our liberty, I must also confess that this Constitution did not prevent Secessionism. The Federal Government ~~is~~ through its constant and successful efforts to combat secessionism is entitled to the allegiance of every American Citizen.

Albert G. Morgan

Carson City Jany 21st 1864.

Mr Gillespie moved a reconsideration of the two last votes.

Mr Blount moved that the reconsideration of the votes be indefinitely postponed.

Ays - Mr Barclay, Balder, Blount, Butler, Dean, Dixon, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hewitt, Jones, McDonald, Nelson, Phillips, Rogers, Stewart, Stewart, Taste, Morgan, Mr Speaker - 23.

Absent - Mr Babcock, Brumfield, Gray, 3.

Carried

And Resolution ordered engrossed

Mr Dean offered the following Resolution

Resolved, That the Clerk of this House be and is hereby authorized to procure a copying Clerk whose Per Diem shall be same as the other Clerks.

Mr Stewart moved the adoption of the Resolution

Mr McDonald moved to adjourn, Carried.

Tenth Day.

Thursday, May 21st 1874

Pursuant to adjournment the House was called to order at 11 O'Clock A.M. Upon the Roll being called the following were absent —

Mr Babcock, Barclay, Brundidge, Dean, Gillespie, Gray = 6

Present, Mr Calder, Cutler, Drummond, Elliott, Fisher, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Pequa, Stewart, Tennant, Trask, Ungar, Mr Speaker. 19.

Mr Calder asked leave of absence for Mr Clagett. Leave granted.

Prayer by the Chaplain.

Minutes of the preceding days read Corrected and approved.

The Speaker announced the presentation of Petitions next in order.

Mr Gove presented the following petition —

To the Honorable Council and House of Representatives of Nevada Territory, in Legislative Assembly, convened. The undersigned Citizens of said Territory, resident in Washoe County, respectfully represent that the two terms of the District Court now held in said County, are entirely inadequate for the transaction of our business of said County. That half of the cases on the calendar, at the commencement of the term just closed, still remains not disposed of.

Although said term continued for eight weeks! That no only, terms are burdensome and hardship to the jurors, and delinquents. And that more frequent terms would conduce to the more prompt administration of justice and to the convenience of all parties.

Therefore, May it pray that your Honorable body, fix by law provide for four terms of said District Court to be held in each year in said County, and as in duty bound will ever pray &c

Mr Gore moved the petition be referred to the Committee on Judiciary, — carried, and so referred.

The Speaker announced reports of Standing Committees next in order —

Mr. Heaton reported that the Committee on Ways & Means have had under consideration the House bill, entitled "An Act" "To provide the order of paying Territorial and County Warrants" have made no amendments thereto, and

have directed their Chairman to report the same back and recommend its passage —

Warren Heaton, Chairman

Reading of the bill by title —
An Act to provide the order of paying Territorial and County Warrants — &c
Bill ordered printed and committed to a Committee of the Whole —

The Speaker announced the introduction of bills next in order —

Mr Tennant Gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act For the relief of H. L. Joachim for taking the census of Sanders County, in the year 1863.

Mr Tennant gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act To supply the town of Clifton in the County of Sanders with water and to protect the Town against fires.

Mr Cutler gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act To authorize Jas. A. McClure to construct and maintain a Toll Bridge across the Carson River in Churchill County.

Mr Gove gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act, Authorizing J. S. Smith and his associates to construct a Toll Road from Washoe City to Pleasant Valley through Allen Canon —

The Speaker announced introduction of bills next in order.

Mr Gillespie introduced a bill entitled "An Act to amend an Act to grant the right to construct a Toll Road from Virginia City to Truckee Meadows and Steamboat Valley in Storey and Washoe Counties.

Approved Nov 29th 1861.

Read twice by title and referred to the Committee on Internal Improvements.

Mr Stewart introduced a bill entitled "An act to amend an Act to regulate proceedings in Civil Cases in Courts of Justice in the Territory of Nevada. — Read twice by title and referred to the Committee on Judiciary.

Mr Curler introduced a bill entitled "An Act granting to Charles to James A. St Clair and J. J. McClellan to construct a bridge over a point known as the upper Ferry Crossing of the old river and to collect tolls on the same. Read twice by title and referred to the Committee on Internal Improvements.

Mr Trask introduced a bill entitled "an Act amendatory of Section Six hundred and ten, of an Act entitled an act to regulate proceeding in Civil Cases in the Courts of justice of the Territory of Nevada. Approved Nov 29th 1861 — Read twice by title and referred to the Committee on judiciary.

Mr Fisher introduced a bill entitled "An Act for the relief of H. T. Burnham, Ex Tax Collector of

Douglas County Nevada Territory —
Read twice by title and referred to the Committee on Judiciary.

Mr Stewart introduced a bill entitled "An Act to amend "An Act entitled "An Act authorizing Ellen Roman and others and their Associates and successors to construct and maintain a Toll Bridge across Carson Slough.
Approved Dec 19" 1862.
Read twice by title and referred to the Committee on Internal Improvements.

The Speaker announced motions and resolutions in order —

Mr Heaton offered the following Resolution.

Resolved, That no bill of a private nature shall be considered in Committee of the whole, while one of a Public nature is on the Calendar.
Mr. Heaton.

Mr Gillespie moved it be laid on the table —

Roll-Call upon Mr Gillespies motion to lay Mr Heatons resolution on the table.

Ayes. Mr Calder. Curler. Dean. Dixson. ~~Fitzhugh~~. Gillespie. Gore. Hollister. Jones. Lemmon. 9.

Nays Mr Barclay. Elliott. Fisher. Heaton. Hess. McDonald. Nelson. Phillips. Regua. Stewart. Trask. Wongar. Mr Speaker. 13.

Absent Mr Babcock. Bonnifield. Clagett. Gray. 4.

Lost.

The motion was then taken on the amendment as offered by Mr Phillips
Lost.

The question was then taken up on the adoption of the resolution as offered by Mr Heaton—

Roll Call on the adoption of the Resolution offered by Mr Heaton

Ayes Mr Dean, Elliott, Fisher, Heaton, Hess, Hunter, McDonald Nelson Regua, Stewart, Trask, Ungar, Mr-Speaker — 13.

Nay Mr Calder, Curler, Dixson Gillespie, Gove, Jones Phillips Tennant 8.

So requiring a two thirds vote to adopt Mr Heaton's Resolution, it was lost—

Mr Gillespie offered the following resolution, as a substitute for Mr Dean's resolution of yesterday

Resolved.

"That the enrolling and engrossing Clerks be and they are hereby directed to render such assistance to the Chief Clerk. as copyists as he may require of them

And further the said Enrolling and engrossing clerks are hereby declared subordinate and subject to the control of the said Chief Clerk of the House

Mr Stewart announced the death of Charles Carter Messinger of the House.

Mr Phillips moved an amendment to Mr Gillespies substitute. To strike out the words—

And further the Enrolling and Engrossing clerks are hereby declared subordinate and subject to the control of the Chief clerk of the House—

Mr Hunter moved an amendment to Mr Phillips Amendment — Adding when not otherwise employed.

Lost.

The question was then taken on Mr Phillips Amendment — Lost —

By leave of the House Mr Gillespie amended his substitute as follows.

Resolved that the Enrolling and Engrossing Clerks be and they are hereby directed to render such assistance to the Chief Clerk as Copyists as he may require of them — and further the said enrolling and engrossing are hereby declared subordinate and subject to the control of the said Chief Clerk of the House — Providing the said Clerks shall not be interfered with in the discharge of their respective duties.

The question was then taken on the substitute as amended

Ays. Mr Calder. Elliott, Gillespie. Lore. Hess. Hunter. McDonald. Nelson Pequa. Trask. Wagner. Mr Speaker. — 12.

Nays. Mr Barclay. Butler. Dean. Dixon. Fisher. Heaton. Jones. Phillips Stewart. Tennant. 10.

Adopted.

Council Chamber. Jany 21st 1864 —

To the Hon the Speaker of the House of Representative —

I am instructed by the Hon the Council to communicate to your Hon Body the enclosed Resolutions for your Concurrence.

Respectfully
J. S. Clarke.
Secy Council.

Resolved, by the Council the Assembly, concurring That the number of Copies of the Governors Annual Message ordered to be printed be apportioned as follows — That two hundred (200) be delivered to the Governor Two Hundred (200) to the Council. and six Hundred (600) to the Assembly.

Mr McDonald moved to lay the resolution on the Table Carried —

Communication from the Governor =

Executive Department
Carson City Jany 21st 1862

To the Speaker of the
House of Representatives

Sir. I have the honor to acknowledge the receipt of a resolution passed by your Hon body yesterday in relation to the report of the Superintendent of public instruction

The report was duly transmitted by me to the Council before your adjournment on Saturday last and referred to the appropriate Committee as appears by the proceedings of that body.

Yours Respectfully
James W. Nye.
Governor of the Terr of Nevada

Mr Gillespie offered the following of Resolutions —

Resolved, That so much of the Governors Third Annual Message as relates to the following subjects, be and they are hereby referred to the usual standing Committees as hereinafter named,

"Viz" So much as relates to mines to the Committee on mines and mining affairs — So much as relates to the Pacific or other Railroads to the Committee on Internal Improvements — So much as relates to the monetary affairs of the Territory to the Committee on ways and means — So much as relates to Literary and educational matters to the Committee on Education. So much as relates to Agriculture to the Committee on Agriculture — So much as relates to Public Morals to the Committee on Internal Affairs of Towns and Counties. So much as relates to Military affairs to the Committee on Militia and Indian affairs — So much as relates to taking the Census to the Committee on Internal Affairs of Towns and Counties. So much as relates to judicial matters to the Committee on judiciary. So much as relates to salaries of Territorial officers, to the Committee on ways and means — And so much as relates to Federal matters to the Committee on Federal Relations. The question was then taken on the adoption of the Resolutions — carried —

Mr Blagett asked leave to introduce a bill. Leave granted —

Mr Blagett introduced a bill entitled "an act to encourage enlistments and give bounties and extra pay to our volunteer soldiers —

Mr Blagett moved that the bill be read twice by title, and referred to a committee of the whole and printed. Carried —

Mr Fisher offered the following Resolution —
Resolved, That as it has pleased Almighty God to remove from our midst Master Charles Carter — our worthy and faithful Messenger —
Therefore be it resolved that this House do now adjourn till tomorrow at 10 o'clock. A.M.

Mr Tennant moved the adoption of the Resolution — carried
House adjourned —

Eleventh Day
Friday Jany 22nd 1864 —

Pursuant to adjournment the House was called to order at 10 O. Clock A.M. Upon the Roll being called the following were present —
Mr Barclay, Calder, Clagett, Curler, Dean, Dixon, Elliott, Fisher, Love, Hazelton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Unger, Mr Speaker. 21 —
Absent Mr Babcock, Brumfield, Gillespie, Gray, Requa. 5.

Prayer by the Chaplain.

Minutes of the preceding day read and approved.

Mr Nelson asked leave of absence for Mr Requa — Leave granted

Mr Barclay presented the

following petition.

To the Hon Council and House of Representatives of Nevada Territory — We the undersigned residents of Sander & Esmeralda Counties Nevada Territory respectfully represent unto your Honorable Bodies —

That a very large portion of the Southern part of Sander County is far removed from the seat of justice

That the Northern part of said Southern portion of Sander County, "To wit. The towns of San Augustino, Washington &c. &c. are distant at least forty miles from the County seat of Sander County. And the extreme portion of the southern part at least twenty miles. That in consequence of the entire absence of the officers of the law the whole of said section of County would be entirely lawless, were it not for voluntary obedience of the residents therein to the laws of the land. That the extreme eastern portion of Esmeralda County adjoins on the said Southern portion of Sander County. And is in the same condition, as far as the entire absence of enforced laws is concerned. Besides being separated from the County seat of Esmeralda County by the desert and a distance of about one Hundred miles

That within the said Southern portion of Sander County, and the said eastern portion of Esmeralda County are contained, The Washington Mining district, The Union mining district — The Marysville Mining district — The Santa fe Mining district — The San Antonia

mining district. The Barnes Park Mining district The Mammoth Mining district and the Santa Clara Mining district -

That the discoveries of mines and the location of farms within the above country have been very numerous - and the country promises to be exceedingly populous and prosperous - That the population of the same numbers at least one Thousand.

Therefore your Petitioners pray that the following may be set apart as a distinct County with a full County organization and officers to wit. Commencing at the Black point of rocks, on the East side of Reese River valley about four miles South of Big Creek Canon. Running thence East to the Eastern boundary of Nevada Territory, Thence South along said Eastern boundary to the thirty seventh degree of North latitude Thence West along said 37" degree of North Latitude to the point of intersection with the forty first Meridian of Longitude West from Washington, Thence North along said 41st Meridian of Longitude to a point due West from the place of beginning - Thence East to the place of beginning.

Referred to the Committee on Counties and County Boundaries

Mr Trask offered the following Petition

To the Legislature of Nevada

Territory — The undersigned residents and persons doing business in Nevada Territory would respectfully represent — That the present Attachment law of this Territory is a species of local legislation in favor of a particular class — debtors — and is often used by that class as an engine of fraud — to the great injury of another class — their creditors. —

That in a country where the floating population is as large as it is in this Territory the true interests of this community demand a more stringent Attachment law than is considered necessary in communities where the population is settled and fixed —

That we have felt the inconvenience of the present Attachment law, & in many cases suffered pecuniary loss in consequence of the facilities it affords dishonest debtors in defrauding their creditors — We would therefore petition your Honorable Body that it be changed & made to assimilate to the present Cali Attachment law —

Signed by 29 names —

Mr Dixson moved it be referred to the Committee on judiciary — So Referred.

Mr Calder offered the following remonstrance.

"To the Governor and Legislative assembly of the Territory of Nevada.

"The undersigned

citizens of Esmeralda County learning that an attempt is being made to form a new County in the Territory of Nevada. and for that purpose to deprive this County of a portion of its present Territory would earnestly remonstrate against such a measure — The County as now organized requires all of its taxable property to meet its wants, and the proposed division, would take off the largest agricultural portion of the County, upon which it is dependent for support — and also the Excelsior Mine's owned chiefly by residents of Aurora, which look to that place for supplies, and to which there is the only acceptable road.

Referred to the Committee on Counties and County Boundaries —

Mr Mc. Donald from the select Committee on Mileage presented the following report =

Names.	Miles.	Amount.
Mr Heaton	35	$5.25
Ungar	"	5.25
Gillespie	"	5.25
Elliott	"	5.25
Phillips	"	5.25
Pequa	"	5.25
Nelson	"	5.25
Barclay	"	5.25
Clagett	400.	60.
Simmons	"	60.
Tennant	"	60.
Dixson	"	60.
McDonald	30	4.50
Trask	"	4.50
Curler	120	18.
Hunter	25	3.75
Gove.	85	12.75
Calder	280	42.00
Fisher	45	6.75
Dean	30	4.50
Gray	280	42.00
Babcock	25	3.75
Hess.	280	42.00

All of which is respectfully submitted.

John McDonald Chm

Mr Gillespie moved the report be adopted

Mr Heaton moved the report on Mr Gove of 60 miles be stricken out, and 85 miles inserted, carried.

The question was then taken on the adoption of the report — carried.

Mr Barclay from the

Committee on Counties and County Boundaries presented the following Report.

To the Honorable the House of Representatives of Nevada Territory.

Your Committee to whom was referred the Bill entitled "An Act Creating the County of Nye" beg leave to make the following report, the Bill with the following amendments for the consideration of the House.

1st Amendment.

At the end of the word beacon in line 10 Sec 1st add the words "known as Mount Rugged" also after the word west in line twentieth Sec 1" add " To the California line" also after word West in line twenty first, Sec 1st add " Westerly along said California line"

Strike out after the word "the" in line 16" Sec 2nd the following clause " Said County seat is hereby located at the town of St Augustine" and insert instead thereof the following.

"The Governor of this Territory shall be and is hereby authorized and empowered to designate the County seat of said County of Nye —

3rd Amendment —

Strike out the word "now" in line 18, Sec 3, and insert the words " or may hereafter be"

4th Amendment —

Strike out the word "ofess" in line 3, section 5, and insert instead thereof the word

"levy" also in line 5 of Sec 5, strike out the word "shall" and substitute instead thereof the word "May" also in line 10 of Sec 5, strike out the word "assessed" and insert instead the word "levied"

5 Amendment.

On line 2 of sec 6 strike out all after the word "to" and insert instead "Lander County" for District Judicial purposes.

7" Amendment.

Strike out of Section 7. and substitute the following instead thereof "It is hereby enacted that the Sheriff of the said County of Nye shall be and is hereby declared collector of all Taxes and revenue in said County.

We recommend the adoption of the following Section.

Section 8"

This act shall take effect from and after its passage.

All of which is most respectfully submitted.

Thomas Barclay, Chairman
Thos. J. Tennant, W.H. Clagett.
Jacob Hess, F.W. Calder.

The report together with the bill committed to a Committee of the whole and ordered printed,

Mr Calder from the Committee on Internal Improvements presented the following Report,

Mr Speaker.

Your Committee on Internal Improvements deprecating the course of the last

Legislative Assembly, in giving valuable Franchises without proper investigation, to parties who obtained them merely for Speculative purposes, and in many cases to the detriment, and against the wishes of the Public.

Beg leave to give notice that they can not support understandingly, or favorable upon any bill granting a Franchise unless it is accompanied by a petition from citizens residing in the locality interested, or from the Board of County Comanissioners of the County in which the Franchise is asked for, requesting the passage of the bill, except in cases where it is clearly shown to the Committee that it is a public necessity.

J. McCalder, Chairman
Robt Fisher,
Benj Butler

Mr Stewart asked leave to withdraw Bill No 22 entitled "An Act to amend an act, entitled An Act, authorizing Ellen Redman and others and their associates and successors to construct and maintain a Tole Bridge across Carson Slough Approved Dec 19th 1862
Leave granted.

The Speaker announced the notice of the introduction of Bills next in order.

Mr Dixson gives notice that he will at some future day ask leave to introduce a bill entitled "An Act to exclude

Traitors and alien enemies from the Courts of justice in Civil Cases.

Mr Dixson gives notice that he will, at some future day ask leave to introduce a bill entitled "An act, Concerning unlawful holding over Lands, Tenements, and other Possessions.

Mr Dixson gives notice that he will, at some future day ask leave to introduce a bill entitled "An act concerning forcible entries and unlawful detainers, and to repeal all other acts on the same subject.

Mr Tennant gives notice that he will, at some future day ask leave to introduce "An act to Grant M. P. Haines and associates the rights to construct and maintain a Toll Road from Clifton to the Town of Amadore Ville, Pizgan bilty.

Mr Stewart gives notice that he will, at some future day ask leave to introduce a Bill entitled "An act for the Relief of Michael Kelley for services rendered and cash paid out in seeking for Wm. H. Mayfield an escaped convict charged with the crime of murder.

The Speaker announced the following additional Standing Committees

Privileges and Elections.
Mr Stewart, Mr Nelson.
Mr Tennant.

Mr Blagett asked leave to

to offer a Resolution. Leave Granted,
Resolved that no bill
for the granting of any franchise,
shall be considered in this House
unless the same shall have been printed
at the expense of the proposed Fran-
chiser and at least one copy fur-
nished to each member.

Mr Keaton moved its
adoption — Carried.

Mr Trask asked leave
to withdraw Bill no 20.
Mr Gillespie moved leave
be granted — Carried.

Mr Elliott asked leave
to report from Committee on Judiciary
Leave Granted.

Messrs Clagett and Elliott,
reported that the Committee on the
Judiciary have had under con-
sideration the following bill entitled
An Act to provide for the appointment
of Notaries Public and defining
their duties and have directed
their Chairman to report the same
back with the following amend-
ments and recommend its passage
Viz, In the second line of the
fourth Section after the word
"acceptance" the words "and payment"
In the second line of the tenth
Section after the word "Seal"
the words "on which shall be engraved
the name of the County for which
he is commissioned, the initials
of the Territory, the name of
the Notary, and the words —
"Notary Public" an impression of
which shall be made on his official —

bond" also after the word "Succeeds" in the last line of the same section the words "in office" In the fifth line of Section Eighteen after the word "the" the words "Commissions of the" also in the sixth line of the same Section after the word "Shall" the words "be revoked and they shall"

All of which is respectfully Submitted

Wm. H. Bruinfield,
Chairman.

The Bill with the report of the Committee — Committed to the Committee of the whole and ordered printed

The Speaker announced introduction of bills out in order.

Mr Gillespie introduced a bill entitled "An act to amend Section 10 of an act to provide for the formation of Corporations for certain purposes. Approved Dec 20" 1862

Read twice by title and referred to the Committee on Corporations.

Mr Blagett introduced a Bill entitled "an act relating to parties to civil actions.

Read twice by title and referred to the Committee on judiciary

Mr Tennant introduced a bill entitled "An Act Granting to C. C. Bartlett and B. N. Sow their heirs and assigns the right to construct and maintain a Toll Road from the junction House on the overland mail road over the Smith Creek Mountains to the Smith Creek Station.

Read twice by title and

referred to the Committee on Internal Improvements

Mr Dixson introduced a bill entitled "An Act Annuatory of an Act entitled an Act to establish a Seminary of learning in Carson City - Approved Nov 21st 1861 -

Read twice by title and referred to the Committee on Colleges and Common Schools.

Mr Elliott moved a reconsideration of Mr Gillespies Resolution of yesterday relating to the Chief Clerk and Subordinates.

Ayes and Noes Called for -

Ayes. Mr Curler. Dean. Dixson. Elliott. Heaton. Stewart. Trask. Wongar - 8

Nay. Mr Barclay. Calder. Fisher Gillespie. Love. Hess. Hewlett. Jones McDonald. Nelson. Phillips. Tennant Mr Speaker - 13.

Lost -

Mr Elliott offered the following Resolution,

Resolved That the Clerk be and he is hereby authorized and required to employ Copyists when in his judgement it may be necessary, Who shall be paid at the rate of fifteen Cents per folio of one hundred words, by the Secretary of the Territory out of the fund for incidental expenses on the certificate of the Clerk and Speaker of the House when the same shall have been audited by the standing Committee on the expenditures of the House.

Mr Dixson moved the

adoption of the resolution.

Mr Gillespie moved to amend by adding when the same shall have been audited by the Standing Committee of the House.

Carried

The question was then taken on the adoption of the resolution as amended.

Ayes and Noes called for.

Ayes. Mr Barclay, Calder, Butler, Dean, Dixson, Elliott, Fisher, Gillespie Gore, Healon, Hess, Hunter, Jones McDonald, Nelson, Phillips Stewart Tennant, Trask, Unger, Mr Speaker 21.

Nays. None. Resolution adopted.

Reading of General Orders of the day — Mr Dixson called up Bill No 3, entitled an act repealing an act amendatory of Section 34 of an act defining the times of commencing Civil action.

House went into a Committee of the whole.

Mr Fisher in the Chair —

Report of the Committee of the whole.

Mr Fisher reported that the Committee of the whole have had under consideration the bill entitled "An act repealing "an act amendatory of Sec 34 of an act defining the times of commencing civil actions, have had the same under consideration have made no amendments thereto, have directed their Chairman to report the same to the House and ask leave to sit again. The question was then taken on agreeing to the report-

of the Committee — Carried —

Mr Heaton moved the House take a recess until 1 O.Clock Carried —

Afternoon Session

House Called to order at 1 o.clock — Upon the role being Called the following were present — Mr Barclay. Butler Dean. Dixon. Elliott. Fisher Gillespie Grove. Heaton. Hunter. Jones. McDonald. Nelson Phillips Stewart Tennant Trask. The Speaker — 18.

Absent. Mr Babcock. Brumfield Calder Clagett. Gray. Hess. Pequa-Monyar. 8

Mr Gillespie moved the House now go into a Committee of the whole on Bills Nos 7 & 8.

The question was taken on Bill No 8 entitled "An Act to create the County of Nye. Lost —

The question was then taken on Bill No 7 Entitled An Act repealing An act Amendatory of Section 34. of an act entitled An Act defining the time of commencing Civil Actions. Approved Nov 21st 1861 —

Reading of General Orders —

Mr Gillespie moved to call up Bill No 6 entitled "An Act creating the County of Nye-

Mr Dixon moved to postpone General Order No 6.

Roll Called.

Ays Mr Calder. Clagett. Curler. Dean. Dixon. Elliott. Fisher Gillespie. Gore. Hess. Hunter. Jones. McDonald. Nelson Phillips. Stewart. Tennant. Trask. Mr Speaker — 19.

Nays Mr Barclay. Keaton. 2.

Absent: Mr Babcock. Brimfield. Gray. Pequa. Wenger. 5.

Resolved — and placed at the foot of the Calendar.

Mr Elliott moved to call up Bill No 7 entitled "An Act repealing an act Amendatory of Section 34 of an act entitled An Act defining the time of commencing Civil Actions."

Approved Nov 21st 1861 —

House went into a Committee of the whole.

Mr Calder in the Chair.

Report of the Committee of the whole.

Mr Calder reported that the Committee of the whole have had under consideration the Bill entitled "An Act repealing an act Amendatory of Section 34 of an act entitled An Act defining the time of commencing Civil Actions, Approved Nov 21" 1861, have made some amendments, have directed their Chairman to report the Bill back to the House, and recommend its passage.

Bill ordered engrossed for third reading.

Mr Hunter offered the following Resolution,

Whereas it has pleased

an allwise Providence to remove from our midst. Master Charles Carter late faithful and attentive Messenger of this House — Therefore Resolved — That this House do now adjourn, and repair to the residence of Hon W. H. Brumfield attended by Mr Speaker and all the attaches for the purpose of attending the obsequies of said lamented Messenger deceased.

Second. That our adjournment is the result of a desire to manifest our appreciation of his commendable endeavors; his worthy aspirations; and his very laudable emulation.

3rd "That the Mother of said deceased Messinger is the recipient of our unfeigned sympathy; and with condolence, we share her bereavement in that she is now called to mourn, the loss of a Son. of whom any parent might justly be proud.

Fourth. That a copy of the foregoing resolutions be forthwith furnished the said bereaved Mother.

Respectfully Submitted.
D. E. Hunter.

The question was taken on the adoption of the resolution
Carried.

House Adjourned —

Twelfth Day.

Saturday Janry 23d 1864

Pursuant to adjournment the House was called to order at 10 O. Clock A.M.

Upon the Roll be called the following were present —

Mr Barclay. Brumfield Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton Hess. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Tosk. Ungar. Mr Speaker. 23.

Absent — Mr Babcock. Gray 2.

Prayer by the Chaplain.

Minutes of the preceding day read and approved.

The Speaker announced Reports of Standing Committees next in order.

Mr Elliott from the Committee on Judiciary, presented the following report.

Mr Elliott reported that the Committee on the Judiciary have had under consideration the following bill entitled "An Act for the relief of Henry Peck Burnham. Ex Collector of Taxes for Douglas County Nevada Territory, have directed their Chairman to report the same back and recommend its passage —

The Bill was ordered printed and committed to the Committee of the Whole

Also Mr Elliott reported that the Committee on the Judiciary have had under consideration the fol-

lowing bill entitled "An Act to amend "An Act entitled "an act to regulate proceedings in Civil Cases in the Courts of justice in the Territory of Nevada."

Have directed their Chairman to report the same back with some amendments and recommend its passage. Ordered printed and Committed to a Committee of the whole.

Also Mr Elliott reported that the Committee on the Judiciary have had under consideration the Petition of the Citizens of the County of Washoe, asking for four Terms of the District Court for said County, and have directed their Chairman to report the same back and recommend the same back of the Bill herewith submitted entitled "An Act amendatory of an Act defining the Judicial districts fixing the terms of the Supreme and District Courts of the Territory locating the County seats of the several counties of the Territory and providing for the transfer and trial of actions Approved November 29" 1861

Mr Gillespie called for the reading of the bill — Bill read.

The question was then taken on the suspension of the rules that the bill might be put on its final passage.

Roll Called.

Aye. Mr Brumfield. Blagett Burler Elliott. Noes — 5.

Nay. Mr Barclay. Calder. Dean. Dixson. Fisher. Gillespie. Heaton. Hess. Hunter. Jones. Mc Donald. Nelson Phillips. Stewart. Tennant. Trask. Morgan. Mr Speaker. 18.

Lost.

Bill ordered printed and committed to the Committee of the whole—

Mr Stewart from the Committee on Privileges and Elections, presented the following report=

Report on a Petition—

Mr Stewart from the Standing Committee on Privileges and Elections, to which was referred the petition of John. C. Partridge Esq. praying for a seat on the floor of the House as Representive from the County of Roop, report that they have had the same under consideration, have come to a favorable conclusion thereon and have directed their Chairman to report that fact to the House and recommend the adoption of the following resolution.

Whereas, in the last apportionment of Representatives to the Legislative assembly by the Governor, pursuant to law, the County of Roop was omitted

And whereas John. C. Partridge Esq of Roop County having presented a certificate of his Election, by the residents of said County, as a representative in this House; and the organic act of the Territory, limiting the number of Representatives to twenty six therefore Resolved.

That John. C. Partridge Esq. of Roop County be and is hereby privileged to a seat on the floor of the House, with all the rights of a

member, with the exception of that of voting, and receiving a per diem and mileage out of the U.S. Legislative Fund.

Mr Gillespie moved the Report be adopted.

Mr Clagett offered an amendment to the Resolution, By inserting the word "Mileage" after the word "per diem" — Carried.

The question was then taken on the adoption of the Resolution as amended.

Roll called.

Aye Mr Barclay, Brumfield, Calder, Clagett, Butler, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hees, Hunter, Jones, Mc Donald, Nelson, Phillips, Stewart, Tennant, Trask, Wangar, Mr Speaker — 23

Nay, None.

Resolution adopted.

Message from the Council.

Council Chamber,
January 23d 1864.

To the Hon the Speaker of the House of Representatives.

Herewith Enclose Council Bill No 1, Engrossed, for the purpose of having the same laid before your Hon Body.

Respy
P.G. Clark
Secy Council.

Council Bill No 1 Entitled an Act to authorize and require the County Commissioners of Esmeralda County to procure the Transcript

of certain records.
Bill read.

Mr Brumfield moved the Rules be suspended and Council Bill No 1 be put on its final passage.

Mr Hess asked leave to introduce a Bill, — Leave granted.

Mr Hess introduced a bill entitled "An Act concerning the records of Esmralda County.

Mr Barclay moved that both bills be referred to a select Committee of three appointed by the Chair. Carried.

The Chair appointed Mr Hess, Mr Barclay & Mr Brumfield, on said Committee.

Mr Brumfield from the Committee on Judiciary presented the following Report.

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the House Bill No 15. entitled "An Act prescribing the manner of commencing actions by or against Counties, have made no amendments thereto and have directed their Chairman to report the same back and recommend its passage.

W. H. Brumfield
Chairman —

Bill ordered printed and Committed to the Committee of the Whole.

Also the following report —

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the House Bill No 11 — entitled "An Act to amend an act entitled an Act to regulate proceedings in Criminal Cases in Courts of justice approved Nov 26th 1861, have made no amendments — have directed their Chairman to report the same back and recommend its passage.

Wm. H. Brumfield
Chairman —

Bill ordered printed and referred to the Committee of the Whole.

The Speaker announced the notice of the introduction of bills next in order.

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to grant to Edward G. Brickell, the right to construct and maintain a Toll Road.

Mr Dixson gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act, granting to A. D. Treadway, Alfred Sayre and others the right to construct a Toll Road, Commencing at middle gate in Lander Co, and running thence to Dove Creek in Union district —, and terminating at the mouth of San Pedro Cañon in Washington District in said County

Mr Cutler gives notice

that at some future day, he will introduce a bill to organize the County of Churchill.

The Speaker announced the introduction of bills next in order.

Mr Tennant introduced a bill entitled "An Act supplementary and amendatory of an act defining the Judicial districts — fixing the terms of the Supreme and district Courts of the Territory locating the County seats of the several Counties of the Territory and providing for the transfer and trial of causes. Approved Nov 29th 1861."

Bill Read.

Read the second time by title and referred to the Committee on Judiciary.

Mr Clagett introduced a bill entitled "An Act to legalize the election and official act of the several Probate Judges and Prosecuting Attorneys in the Territory of Nevada."

Bill Read.

Mr Clagett moved to suspend the rules and place the bill on its final passage.

Roll Called.

Ays. Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixon, Elliott, Fisher, Love, Heaton, Hess, Hunter, Jones, Nelson, Stewart, Tennant, Trask, Conger, Mr Speaker. 20

Nays. Mr Gillespie. 1.

Carried.

Third reading of the Bill.

The question was then taken on the final passage of the bill.

Roll Called —

Ayes. Mr Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, ~~Mc Donald~~, Nelson, Phillips, Stewart, Tennant, Trask, Zinger, Mr Speaker — 22.

Nay, None.

Bill passed ordered Engrossed, and a copy transmitted to the Council for their Concurrence.

The Speaker announced Motions and resolutions in order.

Mr Gillespie offered the following resolution.

Resolved, That Henry Bacon be and he is hereby appointed Messenger of the House vice Charles J. Carter deceased.

Mr Barclay moved the resolution be adopted —

Carried —

The Speaker announced unfinished business of General Orders next in order.

The House went into Committee of the whole on Bill No 12

Mr Brumfield in the Chair.

Report of the Committee.

Mr Brumfield reported that the Committee have had under consideration the Bill entitled "An Act providing for the Submission of the Constitution for the State of California, to the people of Nevada Territory, for their adoption or rejection", have directed their Chairman to report the same back to the House and its indefinite postponement.

The question was taken on agreeing to the report of the Committee. Carried.

Reading of General Orders.

Hon Brumfield called up order No 2.

Hon Heaton called up order No 4.

Mr Stewart called up order No 6.

The House went into Committee of the whole on 2-4-&6 of General Orders.

Mr Stewart in the Chair.

Report of the Committee of the whole.

Hon Stewart reported that the Committee of the whole have had under consideration the bill No 4 entitled "An Act for the order of paying Territorial and County Warrants &c. The Committee of the whole have made some amendments and report the Bill back to the House and recommend its passage.

Mr Barclay moved the report be agreed to. Carried.

Mr Stewart reported that the Committee of the whole have had under consideration the Bill No 6. entitled "An Act creating the County of Pye."
The Committee of the whole have made some amendments and recommend the same back to the House and ask leave to sit again.
Mr Heaton moved the report be agreed to. Carried.

Mr Clagett moved to take the report from the Committee of the whole, and refer it to the Esmeralda and Lander delegation on the Committee on Counties and County Boundaries. Carried.

Mr Heaton moved to adjourn
House adjourned.

Fourteenth Day.
Monday Jany 26th 1864

Pursuant to adjournment the House was called to order at 10 O.Clock A.M.

Upon the Roll being called the following were present.

Mr Brumfield, Clagett, Curler, Dean, Dixon, Elliott,

Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Stewart, Tennant, Trask, Mr Speaker, Mr Patrick, 17

Absent, Mr Babcock, Barclay, Calder, Gray, Jones, Mc Donald, Nelson, Phillips, Regua, Ungar. 10.

Mr Gore asked leave of absence for Mr Ungar for one day

Leave granted.

Minutes of the twelfth day read and approved.

The Speaker announced the Reports of Standing Committees next in order.

Mr Gillespie from the Committee on engrossment presented the following report.

The Standing Committee on engrossed Bills, have carefully compared the House Bill entitled "An Act repealing an act entitled an act amendatory of sec 34 of an act defining the time of commencing Civil Actions - approved Nov 21st 1862" with the original and found the same correctly Engrossed.

The Report was accepted and the Bill placed on file for a third Reading.

Mr Curler from the Committee on Internal Improvements present the following Report.

Your Committee to was referred an act entitled "An Act to authorize James A. McClair and J. G. McClean.

to keep and maintain a Toll Bridge. Begleave to Report the following

Strike out all after the word "McClellan". in Sec 2 and insert in lieu thereof the following

"The damages they may sustain in any Court having Concurrent jurisdiction —

Providing however that nothing in this act shall be so Construed as to prevent any person or persons from crossing at any Ford heretofore used for that purpose — All of which is respectfully submitted.

Leader. Chairman.

Bill committed to a Committee of the whole — Ordered printed at the expense of the parties asking the Franchise.

The Speaker announced notice of the introduction of Bills next in order.

Mr Dixon gives notice that he will, at some future day ask leave to introduce a Bill entitled "An act Providing for the salary of the Probate Judge and Prosecuting Attorney of Sandusky Co.

Mr Tuttle gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to Incorporate W. H. Duncan D. B. Carkburn, E. Wheaton their heirs and associates

the right to construct and maintain a Toll Road from this [illegible] to the Colorado River,

Mr Dean gives notice that he will, at some future [illegible] ask leave to introduce a bill [illegible] "An Act granting to [illegible] the right to keep and [illegible] a Toll road.

Mr Dean [illegible] that he will, at some [illegible] ask leave to introduce [illegible] "An Act granting to [illegible] Thos Risbon and others [illegible] to keep and maintain [illegible]

The Speaker [illegible] Third reading of Bills [illegible]

Reading of the [illegible] entitled An Act [illegible] act entitled An Act [illegible] of sec 34 of an act [illegible] the time of commencement of actions — approved [illegible]

Roll Called on the [illegible] of this Bill.

Ays. Mr Brown [illegible] Clagett, Curler, Dean, [illegible] Fisher, Lyons, Hoag [illegible] Hunter, Jones, [illegible] Trask, Mr Speaker.

Nays, none.

[illegible]

and ordered trans[illegible] this Council for their concurrence.

The Speaker [illegible] Introduction of Bills [illegible]

Mr Gillespie introduced a Bill entitled an act relating to County Prosecuting Attorneys.

Reading of the Bill.

Read the second time by title and referred to the Committee on Judiciary.

Mr Clagett Introduced a Bill entitled "An act to grant to Edward J. Brickell a right to construct and maintain a Toll Road.

Read twice by title and referred to the Committee on Internal Improvements —

Mr Stewart Introduced a Bill entitled "An act for the relief of Michael Kelly for money paid out and services rendered in searching for William Mayfield an Escaped Convict, Charged with the Crime of murder.

Read twice by title and referred to the Committee on Claims.

Mr Dixon introduced a Bill entitled "An act to exclude Traitors and aliens from the Courts of justice in Civil Cases —

Bill Read.

Read twice by title and referred to the Committee on Judiciary.

Reading of General Orders.

Mr Elliott Called up General order No 2
Mr Clagett Called up Order No 5.
Mr Hoeaton Called up Order No 9.

The House went into a

Committee of the whole on General Orders No 2-5-& 9

Mr Phillips in the Chair — Report of the Committee.

Mr Phillips reported that the Committee of the whole have had under consideration the House Bill No 3 entitled "An Act Concerning Official Bonds, have gone through therewith, made some amendments thereto, have directed their Chairman to report the same back to the House and recommend its passage.

The question was taken on agreeing to the report — Carried, Bill agreed to —

Mr Phillips reported that the Committee of the whole have had under consideration the House Bill No 9. entitled "An Act for the relief of Mr. P. Burnham Ex tax Collector of Douglas County Nevada Territory — Made some amendments thereto — Report the same back to the House and recommend its passage

The question was taken on agreeing to the report — Carried — Report agreed to. The Bill ordered engrossed.

Mr Dean asked leave to introduce a resolution — Leave granted —

Resolved, That the office of Engrossing Clerk of this House be and is hereby abolished.

And the Standing Committee on Engrossment is hereby authorized and empowered to employ a competent person or persons to perform said duties of Engrossment, who shall receive compensation per folio therefor, and it shall be the duty of said Committee and the Speaker of the House to audit and certify to the amount of writing done by said Clerks.

Mr Mc Donald moved the adoption of the Resolution

Carried — Resolution adopted.

Mr Gillespie announced in behalf of the Committee on Engrossment, they had selected C. T. Rice,

Mr Mc Donald moved the House now take a recess till 2 O'clock

Carried —

Afternoon Session.

House called to order at 2 O'clock P.M.

Upon the Roll being called the following were present,

Ayes. Mr Barclay.
Bumfield. Clagett. Cuncer. Dean.
Dixson. Elliott. Fisher. Gillespie.
Gore. Heaton. Hess. Hemler.
Jones. Mc Donald. Nelson. Phillips.
Stewart. Tennant. Trask. Partridge.
Mr Speaker. 22

Absent. Mr Babcock
Calder. Gray. Regna 4
Excused Mr Mugar 1

Message from the Council.

Council Chamber,
Jany 28th 1864.

To the Hon the Speaker of
the House of Representatives.

By order of the Council
I herewith transmit Council Bill No 19
Engrossed.

Respectfully
P.G. Clark
Secy Council.

Council Bill No 19 An Act entitled An act defining the first judicial district fixing the terms of court therein and assigning the Hon G.M. North thereto
Bill read first and second time by title

Mr Gillespie moved the rules be suspended and the Bill ordered to a third reading.

Roll Called.

Ayes Mr Barclay, Brumfield, Cagett, Curler, Dean, Dixon, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, Mc Donald, Nelson, Phillips, Stewart, Mr Speaker. 19

Nays. None.

Carried.

Bill read the third time.

The question was then taken on the final passage of the Bill.

Roll Called.

Ayes Mr Barclay, Brumfield, Cagett, Curler, Dean, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, Mc Donald, Nelson, Phillips, Stewart, Trask, Mr Speaker, Mr Dixon. 20.

Nays. None.

Unanimous.

The Clerk ordered to transmit the Bill to the Council with a message informing them of the passage of the Bill.

Mr Stewart asked leave to introduce a concurrent Resolution Leave granted.

Resolved by the House the Council concurring That the Governor be and is hereby authorized to appoint two suitable persons to represent the following Memorial to the Legislature of the State of California at its present Session.

To the Honorable the Legislature of the State of California

Members of Your Memorialists Members of the Legislative Assembly of the Territory of Nevada.

Respectfully Represent. That two years ago in the infancy of the Territorial existence of Nevada, her citizens solicited the State of California, through her New Legislature. To consent to a change of her Eastern Boundary so that the summits of the lofty Mountains intervening should constitute the dividing line between your State and our Territory.

Mountains where they exist are naturally appropriate Boundaries between States and Nations. And this acknowledged fact, we presume, induced Congress in framing the Organic Act of Nevada Territory to fix such as the Boundary line between you and ourselves, We believe then that the interest and convenience of the two jurisdictions required the adoption of the line designated in that organic act.

Two years of experience since have confirmed our then impressions and, therefore, the citizens of Nevada, your fellow-citizens in the Brotherhood of a common country, do again respectfully ask you to consent to this natural dividing line.

The interests of this Territory and of your State are so naturally blended, that it seems to your Memorialists this request should not be refused.

The only productions we export the rich treasures of our mountains find and always will, their way into the lap of California, and there receive refinement and finish before passing into those channels of trade wide and varied as the commerce of the world. Your Memorialists would call attention to the great efforts and large amount of money fruitlessly expended by both your State and our Territory to ascertain where the line of division really is, as established by the Constitution of your State. Mountain heights and extensive deserts, the frosts and snows of winter, and the almost never-durable heat of Summer together with the absence of water over those long miles of sandy deserts seem to forbid the completion of this labor. We would also call the attention of your State to the fact that more than eighty thousand dollars have been expended by the General Government to fix and establish your Eastern Boundary.

This sum added to that recently laid out by your State and this Territory would expend one Hundred Thousand dollars —

and yet the work is not completed and, if it were, still under the arrangements existing, it would not in fact or in law be binding upon either. for the reason that the General Government is not a party to the survey.

For the purpose, then of avoiding further outlay and making certain and permanent that which is essential to the peace, ~~and~~ good order, and prosperity of both State and Territory. We respectfully ask that the above designated line may be established.

One of the principal objections urged against our former request was, that the Territory which was the object of our desire having been included within the limits defined in the Constitution of California, her Legislature had no power to reduce any portion thereof thus including our Territorial Condition. Put your Memorialists now hope and expect that this objection will be fully answered as the time this question shall be determined by your honorable body by our having passed from such Territorial Condition to the equality of a Sovereign State —

Your Memorialists confidently suggest that the Constitution of the United States provides for just such alteration of Boundaries between States we ask. But in forming a Constitution for Nevada the State Convention adopted the present eastern Boundary

line of California as the western boundary of Nevada until such time as California shall relinquish the right of jurisdiction over that portion of territory lying east of the summit of the Sierras, in pursuance of the act of Congress organizing Nevada Territory. (See laws of the United States, Statutes at large, Vol 12, page 209. Sec 1.)

We submit that your Honorable body has full power to grant the consent of California to the proposed line. As before remarked the Constitution of the United States, which is the supreme law of the land, expressly confers the power on the Legislatures of the several States to change their boundaries with the consent of Congress. (See article 4 Section 3. Subdivision 1. United States Constitution.) In this instance the consent of Congress has been already given, as will be seen by inspection of the organic act of Nevada before quoted. All that is now necessary to be done is to obtain the consent of the Legislature of California.

The Constitution of California is of course subject to that of the United States; for in all things where the Constitution of the United States has conferred upon Congress in connection with the State Legislatures the power to pass laws, those laws are supreme. We would further submit that on examination of authority it will be found that no question of power has ever been raised on the adjustment or alteration of boundary lines,

the Congress and the individual States by their Legislatures have concurred. For all practicable purposes, the adjustment in this case is simple —

California needs only to limit her County and district organizations to the summit of the mountains. Nevada will not entertain jurisdiction beyond the line so agreed upon —

Your Memorialists further respectfully represent that States as well as individuals, ought to consult the convenience of other communities, and are not at liberty to compel them to undergo hardships, inconveniences and fatigues in the exercise of their business pursuits nor to cross almost insuperable barriers for political association or protection. The products of the eastern slope of the Sierras find their market in the mining towns of Nevada the population of which rely for their business connection upon each other, and we in unanimity desire politically to have no other associations.

We submit that something is due to the suggestion of Congress upon this subject —

In looking over the Geographical character of this portion of our wide spread domain their minds dwell upon the eternal snows of this great natural boundaries;

They understood that a people inhabiting either slope

would naturally seek associations with and claim protection of the several governments with whom they were in daily communication;

And that the safety and well being of the citizens demanded such division. Your Memorialists beg once more to suggest to your Honorable body that circumstances even at the time when the attention of your State was first called to this question, demonstrated the wisdom of Congress. The winter of 1861 and 1862 was remarkable for its severity. The mountains during months being impassable for any kind of vehicles. At this critical period alarming Indian difficulties occurred within the known and acknowledged limits of the State of California.

Here citizens appealed to the State Government for protection; they asked arms for their defense, yet none could be furnished for the reason that the channels of communication were blocked up — Men and arms had to be furnished from our territory. Your Honorable Body cannot be unaware of the fact that the trouble and expense of collecting taxes on the eastern slope of the Sierras amount to more than is realized to the revenue of your State treasury.

You will pardon us for suggesting as an additional reason for granting our prayer, that the protection of life and property of our fellow citizens of both California and Nevada

absolutely required. Justice when delayed in administration is often defeated.

During the Winter season when the snows on the mountains render them impassable, the officers of the law however willing and anxious, are unable to perform their duties. The consequence is, crime remains undetected, and goes unpunished. The law is brought into contempt and trampled under foot. Your Memorialists entertain the opinion that the interests of both State and Territory will be greatly enhanced by such action as may ask on your part. Your State will thereafter, as now, be gigantic in her proportions, larger than most or any of our sister States —

Incomparably great in our mineral agricultural, and commercial wealth, and from the summit of the Sierras, your natural Eastern boundary, to the sea, will embrace more surface than many of the kingdoms of the old world.

Besides all will know and understand, citizens and strangers, as they trace the water courses, whether they are in California or Nevada, and no uncertainty will exist as to where to apply for justice. Your Memorialists are not unmindful of, nor do they intend to disguise the fact, that the Territory the people of Nevada are anxious to obtain will be an acquisition of great importance in many points of view.

Still, beyond any of these they value the Sierra Boundary for its definiteness, its permanency, and its immutability of character.

By acceding to our request your action will make symmetrical, what is not so now. You will at the same time comply with the recommendation of the Central Government, and unite thereby the two States, California and Nevada, in the bonds of an indissoluble mutual amicability. Across this most fitting boundary, erected by the hand of the Almighty, so high that all may see it from the distant plain, so strong and enduring that none can obliterate or destroy it. Its base resting on earth's centre, its summits piercing the clouds, as sisters in peace, sisters in war, cemented by affection, and bound irrevocably by the ties of a common interest.

Mr. Stewart moved the rules be suspended, that the resolution may be put on its final passage — Carried — Rules suspended

Roll Called —

Aye, Mr Barclay, Brumfield, Blackett, Cutler, Dean, Dixon, Elliott, Fisher, Gillespie, Cox, Heaton, Hess, Hunter, Jones, Nelson, Phillips, Stewart, Tennant, Mr Speaker 19.

Nay, None, Unanimous,

The Clerk was ordered to transmit a copy to the Council.

Mr Barclay from Special Committee presented the following Report.

Your Special Committee to whom was referred Council Bill No 1. An Act to authorize and require the County Commissioners of Esmeralda County. to procure the transcript of certain records also An Act No 30 Concerning the records of Esmeralda County.

do report as follows, that we have examined both bills and recommend the passage of Council Bill No 1.

Thos Barclay
Chairman.

Bill committed to a committee of the whole.

Mr Dixon moved it be made a special order for 2 O. Clock on Thursday – Feb 4th – Carried

Mr Hess from Select Committee presented the following Report

Beg leave to make a minority report as follows,

That for the reason that the bill introduced by Mr Jones the right to transcribe the records of Esmeralda County on the present County Recorder of said County. and also that the said bill is five cents a folio check per than the Council Bill

Jacob Hess

Mr Gillespie moved that both reports be accepted – and the reports together with the bills committed to a committee of the whole Carried –

The Speaker announced that the Introduction of Bills must be in order

Mr Stewart gives notice that he will, at some future day, ask leave to introduce a Bill entitled "An Act to supply the City of Carson with water to protect the property in said City from fire and for other purposes

Mr Trask gives notice that he will, at some future day, ask leave to introduce a bill entitled "An Act authorizing County Recorders to appoint Deputies.

Mr Trask gives notice that he will at some future day, ask leave to introduce a bill entitled "An Act Providing for the Building up a Court House & Jail in the County of Lyon.

Mr Gillespie asked unanimous leave to report from the Committee on Printing — granted.

To the Hon the Council and House of Representatives.

Pursuant to the requirements of a concurrent resolution adopted by your respective bodies. The undersigned constituting the standing Committee on Public Printing in your respective bodies, have jointly had under consideration the subject of Printing and respectfully submit the following as the result of their investigation and consideration — "To wit."

That the Secretary of the Interior, as the agent of the United States Government, has contracted

with Israel Crawford, Esq. the proprietor of the "Carson Daily Independent" for the necessary printing ordered by either House, limiting only the number of copies of laws, to 1000, and Journals of the respective Houses to 200— which is in accordance with the instructions of the General Government. The prices fixed in said contract are as follows Payable in United States Treasury Notes.

For Press work per Column $1.50
" Composition per 1000 Ems 1.50

And for paper used the actual cost of the same in this City to be determined by authenticated Bills.

Your Committee have ascertained that it will not be incumbent upon the Legislative Assembly to make any allowance or appropriation for printing done by its order, unless the United States Legislative fund shall have been exhausted, and unless an extra number of copies of the laws and Journals greater than is herein before mentioned, as prescribed by the Instructions of the General Government— to the Secretary of the Territory.

Your Committee would recommend the adoption of a Concurrent Resolution, directing the Secretary of the Territory to furnish each member of the Legislative Assembly with the necessary File Boards for the

printed House and Council Bill
All of which is respectfully
Submitted Dany 25th 1857
Council Committee Mr. M Daggett
Chr — D H Sturtevant, Ch. Curry.

House Committee Wm M Gillespie Jun Chr
John Nelson. Wm Stewart. —

Mr Gillespie offered
the following Resolution.
Resolved That the Secre-
tary of the Territory be and he
is hereby requested to furnish
each member of this House with
two File Boards for the printed
Council and House Bills.
Mr McDonald moved
the adoption of the Resolution —
adopted —
Mr Elliott offered the following
Resolutions
Resolved. That the
Sergeant at Arms be and is
hereby instructed to procure Cur-
tains or window Blinds — and put
the same up in front or over the
doors or windows of this House.

Mr Hunter moved
the Resolution be adopted.
adopted —

Mr Fisher moved to
adjourn — Carried —
House adjourned —

Fifteenth Day.

Tuesday April 26 1864.

Pursuant to adjournment the House was called to Order at 10 O'clock. A.M.

Upon the Roll being called the following were present.

Mr Barclay. Brumfield Calder. Clagett, Cutler. Dean, Dixon, Elliott. Fisher, Gove, Hocaton. Hess. Hunter, Jones, Mc Donald. Nilson, Phillips. Stewart. Tennant. Trask Morgan. Tamidge, Mr Speaker — 23

Absent Mr Babcock, Gillespie Gray. Neequa. 4

Prayer By the Chaplain.

Minutes of the preceding day read — Corrected and approved —

The Speaker announced Reports of Standing Committees on the order

Mr Mc Donald from the Committee on Mining Affairs presented the following Report.

Mr Mcdonald Reporter that the Committee on Mining Affairs have had under consideration the House Bill entitled "An Act to provide for the location of Coal lands in Nevada Territory, have directed their Chairman to report the same to the House and recommend its passage —

The Bill was ordered printed and committed to a Committee of the Whole

Mr Calder from the Committee on Internal Improvements presented the following Reports.

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 14. entitled "An Act to amend an Act granting the right to construct a Toll Road from Virginia City to Truckee Meadows and Steamboat Valley," have directed their Chairman to report the Bill back to the House without Recommendation.

The Bill was ordered printed at the expense of the parties asking the franchise and committed to a committee of the whole

Also

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 84 entitled "An Act granting J. Bricknell a right to construct and maintain a Toll Road," have directed their Chairman to report the Bill to the House and recommend its passage.

J. W. Calder

The Bill was ordered printed at the expense of the parties asking the franchise and committed to a committee of the whole.

Also

Mr Calder reported that the Committee on Internal Improvements have had under

consideration the "House Bill, No 5, entitled "An Act granting to S. C. Dolly the right to construct a Toll Road" — have directed their Chairman to report the Bill back to the House and recommend its passage. The Bill was ordered printed at the expense of the parties asking the franchise and committed to a Committee of the whole.

Mr Gillespie from the Committee on engrossment presented the following Report —

Mr Gillespie from the Standing Committee on Engrossments reported that they had compared the House Substitute Resolutions for the Council Union Resolutions with the original as passed by the House and found the same correctly Engrossed.

The Clerk was ordered to transmit a copy to the Council with a message informing them of the action thereon

Mr Fisher from the Committee on Claims presented the following Report.

Mr Fisher reported that the Committee on Claims have had under consideration the Bill No 2. entitled "An Act for the relief of Mason & Huff." have held the same under consideration. have come to a favorable conclusion thereon. have directed their

Chairman to report that fact to the House and recommend its passage.

The Bill was ordered printed and referred to a Committee of the whole.

Mr Stewart from Select Committee presented the following Report

Mr Stewart reported that the Select Committee, composed of the Ormsby Co Delegation have had under consideration the House Bill No. 10 entitled "An act to supply the Town of Carson with water, have had the same under consideration, made some amendments thereto, have directed their Chairman to report the Bill back to the House and recommend its adoption.

The Bill was ordered printed at the expense of the parties asking the franchise and committed to a Committee of the whole.

Mr Gillespie from the Committee on Engrossment presented the following Report —

Mr Gillespie reported that the Standing Committee on Engrossed Bills have carefully compared the House Bills entitled "An act for the relief of Henry. Peck. Burnham —

Also "An act repealing "An act amendatory of sec 34. of an act entitled An act defining the time of commencing Civil Actions Approved Nov. 21" 1861 —

And found the same correctly engrossed.

Reports accepted and Bills placed on file for third Reading

The Speaker announced notice of the Introduction of bills next in Order.

Mr Tennant gives notice that he will, at some future day ask leave to introduce a bill entitled An Act to provide for funding the outstanding indebtedness of Lander County.

Mr Dixon gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act Amendatory of an act relating to Elections and the mode of supplying vacancies," Approved Nov 29th 1861—

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act for the relief of Mr. H. Railsign and John S. Ward of Roop Co—

Third Reading of Bills—

An act for the relief of Henry Peck, Burnham, Ex Tax Collector of Douglas Co Nevada Terr.

Ayes and noes on the final passage of the Bill,

Ayes: Mr Barclay, Brumfield Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, Nelson, Phillips, Stewart, Tennant, Treat, Uazar, Mr Speaker, 22

Nays None

Passed Unanimously.

The Clerk was ordered to transmit the Bill to the Council for their Concurrence.

The Speaker announced Introduction of Bills under Order -

Mr Blaggett Introduced a Bill Entitled "An Act for the relief of Hiram Knowles

Read twice by title

Mr Blaggett moved the rules be suspended and the Bill placed on its final passage. Carried.

Third Reading of the Bill Entitled An Act for the relief of Hiram Knowles.

Ayes and Noes on the final passage of the Bill.

Ays Mr Barclay. Brumfield. Balder. Blaggett. Butler. Dean. Dixson. Elliott. Fisher. Gillispie. Gore. Heaton. Hess. Hewlett. Jones. Nelson. Phillips. Stewart. Tennant. Trask. Ungar. Mr Speaker. 22.

Nay. None.

Passed Unanimously.

The Clerk ordered to transmit a copy of the Bill to the Council for their Concurrence -

Mr Stewart introduced a Bill Entitled "An Act to supply the City of Carson with water to protect the property of said City from fire. and for other purposes.

Read twice by title and referred to the Committee on Internal Affairs and Towns and Counties.

Mr Tennant Introduced a bill entitled An act to supply the Town of Austin in the County of Sandie with Water and to protect the town against fires — Read twice by title and referred to the Committee on Internal affairs and towns and Counties

Mr Dixson Introduced a Bill entitled "An act to authorize the Commissioners of Sandie County to provide means to build a Court House and jail

Read twice by title and referred to the Committee on Internal affairs and Towns and Counties

Mr Barclay introduced a bill entitled "An act in relation to justices of the Peace for the City of Virginia,

Read twice by title —

On Motion of Mr Barclay referred to the Storey Co Delegation.

Mr Barclay Introduced a Bill entitled "An act in relation to Constables in the City of Virginia —

Read twice by title —

On Motion of Mr Barclay referred to the Storey Delegation.

On leave — Mr Dean introduced a Bill Entitled "An Act to authorize Thos Kissum and his assigns to make and maintain a Toll Road —

Read twice by title and referred to the Committee on Internal Improvements —

Reading of General Orders

Mr Blagett called up House Bill No 21. Entitled "An Act to encourage enlistments and give extra pay to our Volunteer Soldiers.

Mr Gillespie called up House Bill No 6 Intitled An Act to provide for the appointment of Notaries Public and defining their duties

Mr Stewart called up No 11 Entitled An Act to amend an act Entitled an act to regulate proceedings in Criminal Cases in Courts of justice approved Nov 26th 1862.

House went into a Committee of the whole on Bills No 21-6 & 11 — Mr Fisher in the Chair — Report of the Committee of the whole —

Mr Fisher reported that the Committee of the whole have had under consideration the House Bill No 21 — Intitled "An Act to encourage enlistments and give bounties to our Volunteer soldiers — Not having gone through therewith — have directed their Chairman to report the Bill back to the House and ask leave to sit again

The question was taken on granting leave to sit again

Carried

On leave — Mr Dean offered the following Resolution

Resolved Thatson and after Thursday next the House will hold evening sessions commencing at 7 o'clock P. M —

Mr Heaton moved the resolution be laid on the table — Carried —

Mr Blagett moved the House now take a recess until 2 o'clock — Carried — House took a recess —

Afternoon Session.

House called to order at 2 o'clock. P.M.

Upon the Roll being called the following men presented.

Mr Barclay. Brumfield, Calder, Clagett, Curler, Dean, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Track, Wangar, Partridge, Mr Speaker. 23

Absent — Mr Babcock, Dixon, Gray, Rigua. 4

Mr Gillespie by unanimous consent gives notice of the introduction of a Bill —

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a Bill entitled "An act to authorize certain parties to construct a railroad for Horse Cars in Story County."

On leave Mr Gillespie offered the following Resolution —

Resolved, that the standing committee on the Judiciary be relieve from the consideration of the "House Bill entitled "An act relating to county prosecuting attorneys, and that the same be referred to a select committee to be appointed by the Chair —

The question was then taken on the adoption of the Resolution - Carried
Mr Gillespie Mr Clagett and Mr Tennant were appointed such Committee.

Message from the Council —
Council Chamber —
Carson City 26th 1864

To the Hon the Speaker of the House of Representatives

Herewith transmit Council Bills Nos 2. 5. 11. 12. 15. 16. 17. 21 and 27. Engrossed. And No 6 Considered engrossed. for the action of your Hon Body.
Respy P. L. Clark —
Secy Council.

Council Bill No 6 Entitled an act to legalize the assessment of Real and personal property in Esmeralda County —

Mr Calder moved Engrossment be dispensed with, the Rules suspended and the Bill put on its final passage — Carried —

Third Reading of the Bill —
Ayes and Noes on its final passage
Aye Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Dixon. Elliott. Fisher. Gillespie. Cox. Heraton. Hess. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Trask. Unger. Mr Speaker. 23
Nay. None. Passed Unanimously.

The Clerk ordered to transmit the Bill to the Council with a message informing them of the action of the House.

Council Bill No 21 "An Act to amend an Act entitled an Act to amend an Act establishing a Common School System for the Territory of Nevada — Approved Nov 29th 1861 — Approved Dec 20th 1862

Read first and second time by title and referred to the Committee on Colleges and Common Schools

Council Bill No 47 An Act Authorizing the Mountain Torrent Gold and Silver Mining Company to change its place of Business —

Read first and second time by title, and referred to the Committee on Corporations —

Council Bill No 17 An Act to create and incorporate the Crystal Spring Water Company.

Read first and second time by title and referred to the Committee on Corporations —

Council Bill No 16 An Act extending the time for the Collection of Taxes in the County of Washoe. Read first and second time by title and referred to the Committee on Judiciary —

Council Bill No 15 — Entitled "An Act to extend the time for the Collection of Taxes in Esmeralda County. Read first and second time by title —

Mr Calder moved the rules be suspended and the Bill put on its final passage — Carried —

Read the third time by title — Ayes and Nays on the final pas-

sage of the Bill.

Ayes Mr Barclay, Brumfield, Calder, Clagett, Curlee, Dean, Dixson, Elliott, Fisher, Gore, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Tennant, Trask, Mugan, Mr Speaker. 21

Nays. None.

Unanimously passed

The Clerk was ordered to transmit a Copy to the Council with a Message informing them of the action of the House.

Council Bill No 11 An act to authorize B. Morton his associates and assigns to construct a Toll Road

Read first and second time by title and referred to the Committee on Internal Improvements

Council Bill No 5 An act to encourage the discovery and manufacture of Minerals

Read first and second time by title and referred to the Committee on Mining affairs

Council Bill No 2. An act granting a franchise to William Gamming for a Toll Road.

Read first and second time by title and referred to the Committee on Internal Improvements

Council Bill No 12 "An act to attach Roop County to Washoe County for Legislative purposes

Read first and second time by title and referred to the Committee on Judiciary

Unfinished Business of General Orders.

On leave Mr Tennant from the Committee on Enrollments presented the following Report.

Mr Tennant from the Standing committee on enrollment have carefully compared the enrolled Council Bill entitled "An Act defining the first judicial district defining the terms of Court therein and assigning the Hon J.M. North thereto — with the engrossed Bill as passed by the two Houses and have found the same correctly enrolled —

Thos. J. Tennant Chairman
Committee on Enrollments —

The Bill was transmitted to the Governor for his Approval —

The House went into a Committee of the whole on House Bill No 21, Entitled "An Act to encourage enlistments and give extra pay to our volunteer Soldiers. Also, Bill No 6 Entitled "An act to provide for the appointment of Notaries Public and defining their duties — Also — Bill No 11 Entitled "An Act to amend an act to regulate proceedings in Criminal Cases in Courts of justice approved Nov 26" 1862.

Mr Fisher in the Chair —
Report of the Committee —

Mr Fisher reported that the Committee of the whole, have had under consideration the House —

Bill No 21 Entitled "An Act to encourage enlistments and give extra pay to our Volunteer Soldiers" have had the same under consideration have gone through therewith made some amendments — have directed their Chairman to report the Bill back to the House and recommend its passage —

The question was then taken on agreeing to the amendments as a whole — agreed to —

Mr Gillespie moved that Council Bill No 21. Entitled "An Act to amend an Act Entitled an Act establishing a common School system for the Territory of Nevada. Approved Nov 29" 1861 Approved Dec 20" 1862

Be taken from the Committee on Colleges and Common Schools and referred to the Storey Co Delegation.

Carried —

On leave Mr Tennant from the Committee on Enrollment presented the following Report.

Mr Tennant reports that the Standing Committee on Enrollments delivered the following Entitled Bill to His Excellency the Governor for his approval — On the 26" day of Jany 1864 viz" "An Act defining the first Judicial district. defining the terms of Court therein and assigning the Hon J. N. North thereto —"

Thos J. Tennant — Chairman —

Mr Gillespie from the Committee on Engrossment presented the following Report —

Mr Gillespie reports —

that the Standing Committee on Engrossed Bills have carefully compared the House Bill Entitled "An Act Concerning Official Bonds" with the original and found the same correctly engrossed—

The Bill was ordered on file for a third reading—

Mr Fisher moved to adjourn. Carried. House adjourned—

Sixteenth Day—

Wednesday Jany. 27th 1864

Pursuant to adjournment the House was called to order at 10 O'clock. A.M.

Upon the Roll being called the following were present—

Mr Barclay. Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart Tennant. Trask. Unca. Partridge. Mr Speaker. 22.

Absent Mr Babcock. Brumfield. Gillespie. Gray. Regua. 5.

Prayer by the Chaplain—

Minutes of the preceding read and approved

Mr Nelson asked leave of absence for Mr Regua for four days Leave granted—

The Speaker announced the Notice of the Introduction of Bills next in Order—

Mr Heaton gives notice

that he will at some future day ask leave to introduce a Bill Entitled An Act to provide for assessing and Collecting County and Territorial Taxes.

Mr Mc Donald gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act to amend An Act to Regulate Fees and Costs approved Nov 29." 1861

Mr Mc Donald gives notice that he will, at some future days ask leave to introduce a bill entitled "An Act to legalize the assessment of real and personal property as made by the County Commissioners of Lyon and Churchill Counties for the year 1863.

Mr Stewart gives notice that he will, at some future day, ask leave to introduce a bill entitled "An Act Authorizing Alex Ash, and his associates to construct a Toll Road Commencing at the foot of Lugoms Cañon, thence west on the south side of said Cañon, to the North end of Lake Tahoe,

The Speaker announced the third reading of Bills in Order in Order.

Third reading of Bill No 3 Entitled "An Act Concerning Official Bonds

The question was taken on the final passage of the Bill—

Aye Mr Barclay. Clagett, Curler, Dean. Dixson. Elliott. Fisher. Gillespie, Isom. Hess. Hunter. Gow. McDonald. Nelson. Phillips. Stewart. Tennant. Trask. Wingar. Mr Speaker — 20.

Nay. None.
Unanimously passed —
The Clerk order to transmit the Bill to the Council for its concurrence —
The Speaker announced the Introduction of Bills out in order —
Mr Gore introduced a Bill entitled "An Act to grant the right to construct a Toll Road from Washoe City to Pleasant Valley to D. Landon Smith.
Read first and second time by title and referred with accompanying documents to the Committee on Internal Improvements —

Mr Trask introduced a Bill Entitled "An Act for the Building of a Court House and jail in the County of Lyon —
Read first and second time by title and referred to the Lyon & Churchill Delegation —

Mr Trask introduced a Bill Entitled "An Act Authorizing County Recorders to appoint Deputies
Read first and second time by title and referred to the Committee on Judiciary —

On leave Mr Stewart offered the following Resolution —
Resolved That the Sergeant at Arms be and is hereby authorized to ventilate this House by raising the windows on the Roof of the Building —
Mr Tenorio moved the Resolution be adopted — Carried —

Mr Dixson Introduced a Bill entitled "An Act supplemental to and amendatory of an act relating to Elections and the mode of supplying vacancies — Approved Nov 1st 1861

Read first and second time by title and referred to the Committee on Privileges and Elections.

Mr Tennant introduced a bill entitled "An Act to authorize certain persons to construct and maintain a Toll Road from the town of Austin in Sandus County to a point on the Colarado River a Bonnear the junction of the rivers Virgin with the same —

Read first and second time by title and referred to the Committee on Internal Improvements —

Mr Gillespie Introduced a Bill Entitled An Act to authorize certain Parties to construct a Rail Road in the County of Storey.

Read first and second time by title

On Motion of Mr Gillespie referred to the Storey Co Delegation.

Mr Curler Introduced a Bill Entitled An Act to organize the County of Churchill and other purposes —

Read first and second time by title. On motion of Mr Barclay referred to the Committee on Internal affairs Towns and Counties and the Churchill Co. Delegation.

Mr Meaton Introduced a Bill Entitled "An Act to amend Sec 1 of an act to provide for the

Incorporation of Religious, Charitable Literary Scientific and other associations Approved Dec 19th 1862 —

Read first and second time by title and referred to the Committee on Corporations.

On leave

Mr Blugett gives notice that he will at some future day ask leave to introduce a bill Entitled "An Act Relating to prosecuting Attorneys.

Unfinished Business of General Orders — Bill No 6.

Bill No 11 Entitled "An Act to amend An Act to regulate proceedings in Criminal Cases in Courts of justice Approved Nov 26th 1862.

Mr Stewart moved to call up No 15. Entitled "An Act prescribing the manner of commencing action by or against Counties.

House went into a Committee of the Whole on bills Nos 6 — 11 — 15 —

Mr Fisher in the Chair — Report of the Committee.

Mr Fisher reported that the Committee of the whole have had under consideration the House Bill No 6 entitled "An Act to provide for the appointment of Notaries Public and defining their duties. Have gone through therewith, made some amendments thereto, have directed their Chairman to report the Bill back to the House and recommend its passage —

The question was taken on agreeing to the Report

Report agreed to, and Bill ordered engrossed

Mr Gillespie from the Committee on Engrossment presented the following Report.

Mr Gillespie from the Standing Committee on Engrossed Bills reported as correctly engrossed the following entitled House Bills viz. "An Act to incorporate the City of Star in the County of Humboldt.

An Act to legalize the Election and official acts of the several Probate Judges and Prosecuting Attorneys in the Territory of Nevada.

Also An Act providing for the Order in which Territorial and County Warrants shall be paid and the rates of interest they shall bear.

Report accepted.

The Bills ordered to a third reading

On leave,

Mr Barclay introduced a Bill entitled "An Act to incorporate the Virginia City and Dayton Rail Road." Read first and second time by title.

On Motion of Mr McDonald referred to the Storey and Lyon Co Delegations

Mr Stewart moved to take a recess until 3 O.Clock.

Carried

House took a recess

Afternoon Session.

House called to order at 3 o'clock P. M.

Upon the Roll being called the following were present—

Mr Barclay, Calder, Clagett, Cutler, Deay, Dixson, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Ungar, Partridge, Mr Speaker, 22.

Absent Mr Babcock, Gray, Regua — 3—

Excused Mr Brown filed 2.

Mr Heaton asked leave of absence for Mr Elliott for half a day

Leave granted—

Mr Stewart asked leave of absence for Mr Brumfield for two days — Leave granted—

Mr Gillespie by unanimous consent — Introduced a bill — entitled "An Act amendatory and supplimental to an act to authorize the Incorporation of the City of Virginia — Approved Dec 19" 1862.

Read first and second time by title.

On motion of Mr Gillespie referred to the Virginia part of the Storey Delegation.

Message from the Council —

Council Chamber
Jany 24." 1864

To the Hon. the Speaker of
the House of Representatives —
Gentlemen I transmit

Council Bills Nos 13-14-17-23-29 & 33 Correctly engrossed and considered engrossed for the action of your Hon Body.

Respectfully
P. S. Clark
Secy Council

Also Council Bill No 38 Correctly Engrossed.
P. S. C — —

Council Bill No 33, Entitled An Act granting to J. M. Forsyth his associates the Rights to furnish the towns of Amadon and Coral City with water —

Read first and second time by title

On motion of Mr Dixon referred to the Sander Co Delegation.

Council Bill No 13. An Act to amend an act entitled An Act to regulate proceedings in Civil Cases in the Courts of justice in the Territory of Nevada

Read first and second time by title and referred to the Committee on Judiciary

Council Bill No 14 "An Act to authorize the Court of record of this Territory to admit Com. B. Hereford as an Attorney and Counsellor at Law.

Read first and second time by title; and referred to the Committee on Judiciary.

Council Bill No 17 "An Act to create and incorporate the Crystal Spring water Company

Read first and second

time by title, and referred to the Committee on Corporations.

Council Bill No 23 "An act to amend an act entitled An act to amend an act establishing a common school system for the Territory of Nevada. Approved Nov 29" 1861 Approved Dec 20" 1862.

Read first and second time by title, and referred to the Committee on education.

Council Bill No 29. An act for the relief of Comr. R. Lorejoy

Read first and second time by title and referred to the Committee on Claims

Council Bill No 38. An act to create a County Building fund to Build a Gaol and Court House and County Offices in and for the County of Douglas

Read first and second time by title and referred to the Douglas Co Delegation

The Speaker announced the third reading of bills next in order.

Third reading of House Bill No 4 Entitled An act providing for the order in which Territorial and County warrants shall be paid and the rate of interest they shall bear —

The question was then taken

on the final passage of the Bill,
Aye. Mr Barclay, Blagett.
Carter, Dean, Dixson, Fisher, Gillespie,
Gore, Hess, Hunter, Jones, Mc Donald
Nelson, Stewart, Tennant, Trask,
Ungar, Mr Speaker — 18
Nay, None,
Unanimously passed.
The Clerk was ordered to transmit a copy to the Council for its concurrence.

Third reading of House Bill No 16 Entitled An act to incorporate the City of Star in the County of Humboldt —

Mr Blagett asked unanimous consent to amend — striking out the word February in Sec 11 — and inserting March — Granted —
The question was then taken on the final passage of the Bill,
Aye. Mr Barclay, Balder
Blagett, Carter, Dean, Dixson,
Fisher, Gillespie, Gore, Hess,
Hunter, Jones, Mc Donald, Nelson,
Stewart, Tennant, Trask, Ungar,
Mr Speaker — 19.
Nay. None.
Unanimously passed.
The Clerk ordered to transmit a copy to the Council for its concurrence.

Message from the Council —

Council Chamber Jany 27th 1864
To the Hon the Speaker of
the House of Representatives
Herewith transmit Concurrent Resolutions, as

adopted in the Hon the Council for the approval of your Hon House

Respectfully
P.G. Clark
Secy Council.

Resolved,

By the Council the House of Representatives Concurring

That the mutual interest of California and the Territory of Nevada will be subserved by the adjustment of the question of the Territory now existing between the two governments

And that it is the prayer of a large majority of the residents of the aforesaid disputed Territory

That the Western Boundary of Nevada Territory as defined in the organic Act be recognized by the State of California,

Resolved further, That a Commission, consisting of two competent persons be selected by the Legislative Assembly in Joint Convention on Wednesday next at 12 O'clock, to proceed to California and urge upon the Legislature of that State, the immediate adjustment of the question of Boundary upon the basis suggested in the organic Act of the Territory.

Said order for one day.

Mr McDonald moved to adjourn — Lost.

Unfinished Business of General Orders.

House Bill No 11. An Act to amend an act entitled an act to regulate proceedings in criminal cases in courts of justice — approved Nov 26" 1861 —

Also Bill No 15. An act prescribing the manner of commencing actions by or against counties.

The House went into a committee of the whole.

Mr McDonald in the Chair —

Report of the Committee of the whole.

Mr McDonald reported that the Committee of the whole, have had under consideration the House bill No 14. entitled an act to amend an act entitled an act to regulate proceedings in criminal cases in courts of justice approved Nov 26" 1862 have gone through therewith, and have directed their Chairman to report the Bill back to the House and recommend its passage.

Report of the Committee agreed to and Bill ordered engrossed.

Mr McDonald reported that the Committee of the whole have had under consideration the House bill No 15. entitled an act prescribing the manner of commencing actions by or against counties, have gone through therewith, made amendments thereto, and have directed their Chairman to report the Bill back to the House and recommend its passage —

Report of the Committee of the whole agreed to, Bill ordered engrossed.

On leave Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act, To authorize Mr. M. Gift, and his associates to construct and maintain a Toll Road — Commencing at Reids Station in Lyon County — Thence down Nelson River by the way of Fort Churchill to the Log Cabin Station, also a Branch of said Toll road from Fort Churchill to Malkin Lake —

Mr Mac Donald moved the House adjourn — Carried —

House adjourned —

Seventeenth Day,

Thursday Jany 28th 1864 —

Pursuant to adjournment the House was called to order at 10 O'Clock A.M.

Upon the roll being called the following were present,

Mr Barclay, Calder, Curler, Dean, Dixson, Elliott, Fisher, Gow, Hess Hunter, Jones, Mc Donald, Nelson, Stewart Tennant, Trask, Ungar, Partridge, Mr Speaker, 19

Absent Mr Babcock, Blagett, Gillespie, Gray, Heaton, Phillips, 6.

Excused Mr Brumfield, Pequa, 2,

Prayer by the Chaplain —

Minutes of the proceeding read and approved.

The Speaker announced

reports of Standing Committees next in order.

Mr McMcDonald reported that the Committee on Internal Improvements Towns and Counties have had under consideration the House Bill no 39 entitled "An Act To supply the City of Carson with water to protect the property in said City from fire and for other purposes. have had the same under consideration, have directed their Chairman to report the same back to the House without recommendation.

Mr Fisher moved it be committed to a Committee of the whole. Carried. The Bill was ordered printed at the expense of the parties asking the franchise.

Also.

Mr McDonald reported that the Committee on Internal Affairs Towns & Counties have had under Consideration the House Bill No 44 entitled "An Act To authorize the County Commissioners of Lander County to provide means to build a Court House and jail. have had the same under consideration and have directed their Chairman to report the same back to the House and recommend its passage.

Ordered printed and committed to a Committee of the whole.

Also

Mr McDonald reported that the Committee on Internal affairs Towns and Counties have had under consideration the House Bill No 40 entitled "An Act To supply the town of Austin in the County of Lander with water and to protect the Town against fire. have had the same under consideration, have directed their Chairman

to report the same to the House and recommend its passage—
Ordered printed at the expense of the parties asking the franchise and committed to a committee of the whole.

Mr Calder from the Committee on Internal Improvements presented the following report.

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 44 entitled "An Act authorizing Thos Rissue, and associates to maintain a Toll Road—have amended Sec 1. by striking out "Exclusive" in the 22d line, have directed their Chairman to report the bill back to the House and recommend its passage as amended — Report accepted—
The Bill ordered printed at the expense of the parties asking the franchise, and committed to a Committee of the whole —

Also

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 59 entitled An Act authorizing certain persons to construct a Toll Road from Austin in Sanders County to the Colorado River. have directed their Chairman to report the bill back to the House and recommend its passage
The Bill was ordered printed at the expense of the parties asking the franchise, and committed to

a committee of the whole.

Mr Elliott from the committee on Judiciary presented the following report

Mr Elliott reported that the Committee on the Judiciary have had under consideration the House Bill No 9 — entitled "An Act to amend Civil Probate Court act and have directed their Chairman to report back the same, and recommend the passage of the substitute, herewith submitted entitled "An Act to provide for the transfer of estates and all proceedings had therein, from one County to an other, in case of the erection of new out of old Counties

The Substitute committed to a committee of the whole and ordered printed.

Mr Elliott moved the original Bill be laid on the table — Carried —

Mr Elliott from the Committee on Judiciary presented the following report.

Mr Elliott reported that the Committee on the Judiciary have had under consideration the Council Bill No 49, entitled "An Act Extending the time for the Collection of Taxes in the County of Washoe, have directed their Chairman to report back the same and recommend its passage —

The Bill ordered printed and committed to a committee of the whole

Also

Mr Elliott reported that the Committee on the Judiciary, have had under consideration the Council Bill No 54, entitled "An Act to attach Roop County to Washoe County for Legislative purposes have directed their Chairman to report back the same and recommend its passage —

The Bill ordered printed and committed to a committee of the whole.

Mr Stewart from the Committee on Privileges and Elections presented the following Report.

Mr Stewart reported that the Committee on Privileges and Elections have had under consideration the House Bill No 58 entitled An Act Supplemental to an Act relating to Elections and the mode of supplying vacancies, Approved March 1st 1861 — Under consideration have directed their Chairman to report the same back to the House and recommend its passage —

The Bill ordered printed and committed to a Committee of the whole

Mr Clagett from the Committee on Judiciary presented the following report —

Mr Clagett reported that the Committee on Judiciary have had under consideration the House Bill No 13 entitled "An Act relating to the Sale of Real Estate and Mining Claims belonging to the estates of deceased persons, have directed their Chairman to report the same back to the House and recommend its passage. The Bill was ordered printed and referred to a committee of the whole —

The Speaker announced the Notice of the Introduction of Bills next in order —

Mr Morgan gives notice that he will at some future day ask leave to introduce a Bill entitled "An

act to grant to J. Martin and others a right to construct and maintain a Toll Road between American City and Silver City.

Mr Frask gives notice that he will, at some future day ask leave to introduce a Bill entitled "An Act to authorize certain parties to construct a Toll Road from the town of Dayton to Palmyra in the county of Lyon.

The Speaker announced the Introduction of bills next in order.

Mr Blagett introduced a bill Entitled An act for the relief of William Hill Mailigh and John S. Ward.

Read first and second time by title and referred to the Committee on claims.

Mr Gillespie by unanimous consent presented the following petition,

To the Hon. the Legislature of the Territory of Nevada in assembly and Council Convened.

Your Petitioner would respectfully represent to your Hon Body, Thaton the 29" day of July A.D. 1861, he assumed the duties and responsibilities of Deputy Clerk of Carson County = (then comprising the whole Territory of Nevada) by virtue of an appointment made by his Excelsor Nye, which office he continued to fulfill the duties up until the tenth day of Dec of the same year.

Thatin payment of said services he received certain pieces of scrip amounting to the sum of $375.00 which are still unpaid —

Thatmany other warrants drawn at the same time and for

the remuneration of officials acting under similar appointments have been paid through the medium of relief Bills —

That a Bill for the relief of your Petitioner was introduced and passed both Houses of the Legislature of the Territory of Nevada, at its last session preceding this.

And only failed to become a law from lack of Engrossment in time to receive the signature of His Ex- the Governor —

Therefore your Petitioner humbly prays for relief in the sum of $450.00 for said $375.00 and interest at the rate of ten per cent per annum from Dec 1861 —

And your Petitioner will ever pray

S. E. Cram —

Referred to the Committee on Claims —

Also Mr Gillespie presented the following Petition

To the Hon. Council and House of Representatives of the Territory of Nevada —

The undersigned believe the new grade around Cedar-Hill, and other new grades which the proprietors of the Toll Road from Virginia City to Truckee Meadows and Steamboat Valley propose to make, will be a great public benefit, We therefore pray your Honorable Bodies to grant them the amendments proposed to their Charter, in order that the improvements designed may be secured to the Public.

Signed by 23 names —

On leave Mr Elliott gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act granting to J. W. Noyes - M. N. Mitchell and their associates, a right to construct a horse or steam Car railroad from Virginia to Carson City by way of Gold Hill and Washoe City."

Message from the Council —
Council Chamber, Jany 28th 1864

To the Hon the Speaker of the House of Representatives

Herewith transmit to your Hon Body, Council Bill No 46, for the Concurrence of your Hon Body —
Resp — P. L. Clark —
Secy Council

Also Council Bill No 40 — Considered Engrossed

Council Bill No 40 — An Act granting to C. W. Bryan and W. Price — and their associates the right to construct a Toll road.

Read first and second time.

Mr Fisher moved the rules be suspended and the Bill committed to a Committee of the whole — Carried.

Mr Stewart moved to suspend the rules and dispense with printing — Carried.

Council Bill No 46. An Act to audit the Claims of M. V. Kingsbury — and to provide for the payment of the same.

Read first and second time

Mr Dixon moved the rules be suspended and the Bill placed on its final passage — Carried.

Third reading of the Bill.

The question was then taken on its final passage —

Ayes — Mr Barclay, Calder, Claggett, Curler, Dean, Dixson, Elliott, Fisher, Messrs Hess, Hunter, Jones, McDonald, Nelson, Stewart, Tennant, Trask, Mr Speaker — 18.

Nays — None —

Passed unanimous —

The Clerk ordered to transmit a copy to the Council with a message informing that body of the action of the House —

The Speaker announced Motions and Resolutions next in Order —

Mr Gillespie offered the following Resolution —

Resolved that the Clerk of this House be and he is hereby directed to address a respectful Message to the Hon Body the Council requesting information, as to what action that Hon Body has had relating to the appointment of Commissioners to visit the California Legislature for the purpose of soliciting an early settlement of the Boundary question & if that Hon Body has had no action thereon, that it be requested to return to this House the aforesaid Concurrent Resolution —

Mr McDonald moved its adoption

Mr Stewart moved it be laid on the table. Lost —

The question was then taken on the adoption of the Resolution — Carried —

General Orders of the day Read —

House Bill No 28. An Act Annundatory of an Act defining the Judicial Districts fixing the terms of the Supreme and District Courts of the Territory and providing for the transfer and trial of action. Approved Nov 27th 1861 —

Also.

House Bill No 23. An Act to amend An Act to regulate proceedings in Civil Cases in Courts of Justice in the Territory of Nevada —

Also

Council Bill No 1 — House Introductory No 30. An Act to authorize and require the County Commissioners of Esmeralda County to procure the transcript of certain Bonds —

House went into a Committee of the whole, Mr Barclay in the Chair.

Report of the Committee of the whole — Mr Barclay reported that the Committee of the whole have had under Consideration the House Bill No 28 entitled An Act Annundatory of an Act defining the Judicial districts fixing the terms of the Supreme and District Courts of the Territory and providing for the transfer and trial of action — Approved Nov 29th 1861 — Made some progress therein — have directed their Chairman to report the Bill back to the House and ask leave to sit again.

Report of the Committee of the whole agreed to — Leave granted to sit again —

Mr Barclay reported that the Committee of the whole have had under Consideration the House Bill No 18. entitled "An Act to amend An Act

entitled "An Act to regulate proceedings in Civil Cases in the Courts of Justice of this Territory, have reported it back and recommend its rejection.

Report of the Committee agreed to. Bill rejected —

Mr Fisher offered the following Resolution

Resolved that on and after this Thursday Evening, the House hold evening Sessions commencing at half past 7 o'clock until otherwise ordered.

Mr Mc Donald moved the resolution be laid on the Table — Carried —

Mr Tennant from the Committee on Enrollment presented the following report —

Mr Tennant reports that the Standing Committee on Enrollment have carefully compared the following entitled Bills with the Engrossed Bills as passed by the two Houses and found the same correctly enrolled, Viz,

An Act to legalize the assessments of real and personal property as made by the County Commissioners of Esmeralda County for the year 1863.

Also

"An Act Extending the time of collection of Taxes of Esmeralda County

Thos J. Tennant
Chairman —

Report accepted and the Committee ordered to transmit the Bills to the Governor for his approval —

Mr Mc Donald moved to take a recess until 2 o'clock Carried, House took a recess —

Afternoon Session.

House called to order at 2 O. Clock P.M.

Upon the roll being called the following were present –

Mr Barclay, Calder, Clagett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Partridge, Mr Speaker. 21 –

Absent Mr Babcock, Gray, Heaton, Regua, Wongar. 5 –

Excused. Mr Brumfield. 1.

Mr. Stewart on leave returned Bill No 22 to the Committee on Internal Improvements;

On leave Mr Gillespie offered the following Resolution,

Resolved That the daylight sessions of this House be confined exclusively to the consideration of such bills only, as do not grant franchises –

The question was taken on the adoption of the Resolution –

Aye. Mr Dixson, Gillespie, Hess, Jones, Nelson. 5.

Nay. Mr Barclay, Calder, Clagett, Cutler, Dean, Elliott, Fisher, Gore, Hunter, McDonald, Phillips, Stewart, Tennant, Trask, Mr Speaker, 15.

Lost –

Mr Clagett offered the following Resolution

Resolved That no Bill granting a private franchise shall be considered in this House as long as there is any bill of a public nature on the Calendar.

Mr Elliott moved its adoption –

Roll Call –

Aye – Mr Clagett, Dixson, Elliott, Fisher, Gillespie, Gore, Hess, Jones, Nelson,

Phillips, Mr Speaker — 11 —
Nay Mr Barclay, Calder, Curler,
Dean, Nelson, Mc Donald, Stewart,
Tennant, Trask, 9 —
A two-thirds vote being required
the Resolution was Lost

Mr Barclay offered the following Resolution.
Resolved, That no claims of a private nature for monies to be paid out of the Territorial Treasury be taken into consideration, until all Bills of a Public nature are disposed of.
The question was taken on the adoption of the resolution
Roll Call —
Aye, Mr Barclay, Clagett, Curler,
Dean, Elliott, Gillespie, Hunter,
Jones, Mc Donald, Nelson, Mr Speaker, 11.
Nay, Mr Cider, Dixon,
Fisher, Gore, Hess, Phillips Stewart,
Tennant, Trask, 9.
A two-thirds vote being required
the Resolution was Lost.

Mr Phillips offered the following Resolution.
Resolved, That no Bill granting a franchise shall be taken into consideration by this House until the last week of the session.
Mr Fisher moved the Resolution be laid on the table, carried —

Message from the Council —
Council Chamber Jany. 28th 1862
To the Hon the Speaker of
the House of Representatives
I have the return to
your Hon Body House Bill No 38 —
An Act for the relief of Hiram Knowles.

passed with Amendment — Also I herewith transmit Council Bills Nos 4 — 34 — & 26, Engrossed —

Resp — P. G. Clark.
Secy Council —

Council Amendment —

The said Hiram Knowles shall before the issuance of the duplicate warrant provided for in the preceding Sections shall give his bond with two sureties to be approved by the Territorial Treasurer to the people of Nevada Territory in the sum of one Thousand Dollars, Conditioned that said Territory shall suffer no loss from the recovery and payment of the original warrant mentioned in the preamble of this act.

Mr Clagett moved the Amendment of the Council be concurred in.

Ayes and Noes —

Aye — Mr Barclay, Culver, Clagett, Curler, Dean, Dixon, Elliott, Fisher, Gillespie, Gore, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Trask, Mr Speaker. 19

Nay. None. — Carried —

Bill ordered Enrolled —

Council Bill No 26 "An Act granting to M. S. Alban and his associates the right to Mast Walker River to float logs in for five years —

Read first and second time —

Referred to the Committee on Internal Improvements.

Council Bill No 4. An Act granting certain parties the right to construct a Toll Road from Timber lands East of Lake Tahoe to Virginia City.

Read first and second time

Referred to Committee on Internal —

Improvements and the Ormsby Co Delegation,
Council Bill No 34 An Act
relating to Toll Roads and Bridges
in Nevada Territory.
Read first and second
time. Referred to Committee on
Judiciary.

Message from the Council —
Council Chamber Jany 28/64
To the Hon the Speaker of
the House of Representatives
I herewith transmit
a resolution asking you to return
Council Bill No 46.
Resp — P.S. Clark —
Secy Council —

Resolved.
That the House of As-
sembly be requested to return to
the Council Bill No 46, providing
for the Compensation of Wm. V. Kingsbury.

Mr Gillespie moved the Res-
olution be laid on the Table — Carried —

On leave Mr Stewart gives no-
tice that he will, at some future
day ask leave to introduce a
bill entitled "An Act to legalize cer-
tain Acts and orders of the County
Commissioners of Ormsby County
Nevada Territory.

Unfinished Business of the
Morning Orders —
Council Bill No 1 — House
Introductory No 34. An Act to author-
ize and require the County Com-
missioners of Esmeralda County
to procure the transcript of cer-
tain Bonds
House Bill No 29 —

An Act Concerning the records of Esmeralda County.

Mr Hunter Moved to Call up Council Bill - Introductory No 47. An act providing for the extension of time of the collection of Taxes in Washoe County - Along with the unfinished business of the General Orders - Carried -

Mr Fisher Moved to call up Council Bill - Introductory No 43 - An Act granting to C. H. Bryan H. Crick and their associates the right to construct and maintain a Toll Road - Carried -

House went into a Committee of the whole on Bills Nos 30-29-47 and 43 - Mr Dixon in the Chair -

Reports of the Committee

Mr Dixon reported that the Committee of the whole - have had under consideration the Council Bill entitled An act House Introductory No 47 - Extending the time for the Collection of taxes in the County of Washoe. have gone through therewith, and have made some amendments thereto & have directed their Chairman to report the same back to the House as amended and recommend its passage.

Report of the Committee agreed to Bill Ordered to a third reading

Mr Dixon reported that the Committee of the whole have had under consideration the Council Bill House Introductory No 30 Entitled An act to authorize and require the County Commissioners of Esmeralda County to procure the transcript of

certain Bonds, have gone through therewith, and have directed their Chairman to report the Council Bill Back to the House without amendments and recommend its passage—

Report of the Committee agreed to—

Bill ordered to a third reading—

Mr Dixon reported that the Committee of the whole have had under consideration the House Bill No 29 entitled "An Act concerning the records of Esmeralda County and have directed their Chairman to report the Bill back to the House and recommend it be laid on the table — Report agreed to—

Bill laid on the Table —

Mr Dixon reported that the Committee of the whole have had under consideration the Council Bill House Introductory No 43, entitled An Act granting to C. M. Bryan, his heirs and their associates the right to construct and maintain a Toll Road, have gone through therewith, have made some amendments thereto, and have directed their Chairman to report the same back to the House, and recommend its passage as amended—

Report agreed to.

Bill ordered to a third reading—

Mr Stewart moved the House now adjourn —

Carried ...

House adjourned—

Eighteenth Day.

Friday Jany 29th 1864.

Pursuant to adjournment the House was called to order at 10 O. Clock A.M.

Upon the roll being called the following were present—

Mr Barclay. Claytt. Dean. Dixon. Elliott. Fisher. Love. Heaton. Hess. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Swask. Ungar. Partridge. Mr Speaker. 20.

Absent Mr Babcock. Calder. Curler. Gillespie. Gray. 5—

Excused. Mr Brumfield. Rigna. 2

Prayer by the Chaplain.

Minutes of the preceding day read and approved—

The Speaker announced reports of Standing Committees in Order.

Mr Tennant from the Committee on Enrollment presented the following report.

Mr Tennant reports that the Standing Committee on Enrollment have delivered to His Excellency the Governor the following Enrolled Bills for his approval, the 29th day of January 1864—

An Act to extend the time of Collection of Taxes of Esmeralda Co.

Also,

An Act to legalize the assessment of real and personal property as made by the County Commissioners of Esmeralda County for the year 1863.

Thos J. Tennant
Chr

Mr Fisher from the Committee on Internal Improvements presented the following report.

Mr Fisher reported that the Committee on Internal Improvements have had under consideration the House Bill No 22 entitled "An Act to amend An Act authorizing Ellen Redman and her associates and successors to construct and maintain a Toll Bridge have come to a favorable conclusion thereon, and beg leave to report that fact to the House.
Robert Fisher and Benj Curler—

Mr Stewart moved the rules be suspended and printing dispensed with— —Carried—
Bill Committed to a Committee of the whole.

Mr Elliott from the Committee on Judiciary presented the following Report.

Mr Elliott reported that the Committee on the Judiciary have had under consideration the Council bill No 34 — House Introductory entitled "An Act relating to Tolls Roads and bridges in Nevada Territory.
Have directed their Chairman to report back the same and recommend its passage. Bill Committed to a Committee of the whole—

Mr McDonald from Committee on Internal Affairs Towns and Counties presented the following Report.

Mr McDonald reported that the Committee on Internal affairs Town and Counties and Churches—

delegation have had under consideration the House Bill No 61 entitled An Act to organize the County of Churchill and other purposes, have had the same under consideration, have directed their Chairman to report the same to the House and recommend its passage.

Ordered printed and committed to a committee of the whole —

Mr Clagett from the Committee on Corporations presented the following report.

Mr Clagett reports that the Committee on Corporations, have had under consideration the Council Bill No 37, House Introductory No 48,

Entitled An Act to create and incorporate the Crystal Springs Water Co. have made an amendment in the 3rd line of Section 2 of said Bill, have directed him to report the same back to the House and recommend its passage as amended.

The Bill committed to a Committee of the whole.

Mr Clagett from the Committee on Judiciary presented the following report

Mr Clagett reports that the Committee on Judiciary have had under consideration the Council bill No 124, entitled An Act to authorize the Courts of Record of this Territory to admit J. B. Hereford as an attorney and counsellor at law, have come to a favorable conclusion thereon, and have directed him to report the same back to the House and recommend its passage

The Bill committed to a Committee of the whole —

Mr Clagett from the Committee

on Judiciary presented the following report.

Mr Clagett reports that the Committee on Judiciary have had under Consideration the House Bill No 57 — Entitled "An Act authorizing County Recorders to appoint Deputies — have drawn up a substitute for the same and have directed their Chairman to report the same back to the House and recommend its passage —

Mr Barclay moved the report be agreed to. Carried —

The Substitute was ordered printed and committed to a Committee of the whole.

Original Bill laid on the Table.

Mr Fisher from the Committee on Claims presented the following Report.

Mr Fisher reported that the Committee on Claims, have had under Consideration the Council Bill No 29. entitled An Act for the relief of J. K. Lovejoy, have come to a favorable Conclusion, have directed their Chairman to report that fact to the House.

The Bill Committed to a Committee of the Whole —

The Speaker announced reports of Select Committees next in order.

Mr McDonald from the Lyon and Churchill Delegation presented the following Report.

Mr McDonald reported that the Committee from the Lyon and Churchill Delegations have had under consideration the House bill No 56. entitled An Act providing for the building-

of a Court House and Jail in the County of Lyon, have directed their Chairman to report the same to the House and recommend its passage.

The Bill ordered printed and committed to a Committee of the whole —

Mr Barclay from Lyon and Storey Delegations presented the following report.

The Committee of Lyon and Storey County Delegations to whom were referred the Bill entitled An Act to incorporate the Virginia and Dayton Railroad beg leave to report back the same with some amendments and recommend its passage

Thos Barclay Chairman —

The Bill ordered printed at the Expense of the Grantees and committed to a Committee of the whole —

Mr Fisher from the Douglas Delegation presented the following report.

Messrs Dean and Fisher reported that the Committee composed of the Douglas Delegation have had under consideration the Council Bill No 58, entitled An Act to create a County Building Fund for Building a Jail, Court House and County Offices in said County. Have come to a favorable conclusion thereon and beg leave to report that fact to the House. The Bill committed to a Committee of the whole —

The Speaker announced the notice of the Introduction of bills next in order

Mr McDonald gives notice that he will, at some future day ask

leave to introduce a bill entitled "An Act in relation to the Probate Judge and Prosecuting Attorney of Lyon and Churchill Counties.

Mr McDonald gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act granting to J.W. Haines & his associates the rights to construct and maintain a Toll Road in Douglas and Lyon Counties.

Mr Clagett gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act Relating to Corporations

The Speaker announced the third reading of bills under order.

Third reading of Council Bill No 1; House Introductory No 30, An Act to authorize and require the County Commissioners of Esmeralda County to procure the transcript of certain records.

Mr Elliott moved the Bill be recommitted to the Committee of the whole.

Aye – Mr Barclay, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Isom, Keeaton, Kess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennent, Isaac Mugar, 19

Nay Mr Speaker 1

Bill recommitted to a Committee of the whole.

Third reading of Council Bill No 40 House Introductory No 73, An Act granting to C. H. Bryan H. Crick and their associates the right to construct and maintain a Toll

road — The question was taken on the final passage of the Bill

Aye. Mr Barclay. Clagett. Curler. Dean. Dixon. Elliott. Fisher. Gillespie. Gore. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart. Tennant. Trask. Mugar. Mr Speaker. 21 —

Nay. None.

The Bill was declared duly passed. The Clerk ordered to transmit a copy to the Council with a message informing that body of the amendments —

Third Reading of Council Bill No 16. An Act extending the time for collecting taxes in Tarrant and Douglas County.

The question was taken on the final passage of the Bill —

Aye. Mr Barclay. Clagett. Curler. Dean. Dixon. Elliott. Fisher. Gore. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart. Tennant. Trask. Mugar. 19.

Nay Mr Gillespie. Mr Speaker. 2.

The Bill was declared duly passed.

The Clerk was ordered to transmit the Bill to the Council with a message informing that body of the action of the House.

On leave Mr Fisher offered the following Concurrent Resolution.

Mr Fisher

Resolved by the House, the Council Concurring that the joint Committee on Printing of both Houses of this Legislature are requested to make arrangements in order to secure for members of each House —

printed Copies of all Council and House Bills - unless otherwise ordered.

Mr McDonald Moved the Rules be suspended and the Resolution acted upon -

Carried -

The question was then taken on the adoption of the Resolution.

Carried -

The Speaker announced the Introduction of Bills next in Order -

Mr Barclay Introduced a Bill entitled an act describing the duties and powers of the Police Magistrate of Virginia.

Read first and second time

On Motion of Mr Barclay referred to the Virginia part of the Stony Delegation.

By unanimous Consent On previous notice Mr McDonald introduced a bill entitled "An Act granting J.W. Nairns and his associates the right to Construct and maintain a Toll Road in Douglas & Lyon Counties.

Read first and second time -

On Motion of Mr McDonald referred to the Douglas and Lyon Delegations -

Mr Stewart Introduced a Bill Entitled "An Acts to legalize Certain acts and orders of the Commissioners of Ormsby County -

Read first and second time.

On Motion of Mr Stewart referred to the Ormsby County Delegation -

The Speaker announced Motions and

and resolutions in order—

Mr Clagett offered the following resolution

Resolved, That the Chairmen of the several Standing Committees of this House, and of such Special Committees as the House may from time to time appoint shall have power to take testimony and examine witnesses under oath, as to all matters brought before such Committees on reference under the rules of this House.

In the absence of the Chairman or their inability to act any member of said Committee shall have power to swear witnesses and take testimony as above provided.

Mr McDonald moved its adoption

Carried.

Mr Stewart offered a Concurrent resolution and memorial to Congress relating to the Judicial system of the Territory.

Mr Stewart moved the rules be suspended that the resolution might be acted on — Carried —

Mr Stewart moved the resolution and memorial be referred to the Committee on Judiciary—

Carried —

General Orders of the day read —

Mr Elliott called up House Bill No 28. Entitled An Act Amendatory of an Act defining the Judicial Districts fixing the terms of the Supreme and District Courts of the Territory locating the County Seats of the several Counties of the Territory and providing for the transfer and trial of actions.

Approved Nov 29" 1861 —

Mr Barclay called up House Bill No 14 Entitled An Act providing for the location of Coal Lands —

Mr Blagett called up House Bill No 34 Entitled An Act to grant to Edward J. Brickell a right to construct and maintain a Toll Road —

House went into a Committee of the whole on Bills 28—14 & 34 —

Mr Dixon in the Chair —
Reports of the Committee —

Mr Dixon reported that the Committee of the whole House had under consideration, the House Bill No 28 Entitled An Act Amendatory of an act defining the Judicial Districts, fixing the terms of the Supreme Court and District Courts of the Territory locating the County seats of the different Counties of the Territory, and providing for the transfer and trial of actions, Approved Nov 29th 1861 — Have gone through therewith, have made some amendments thereto — have directed their Chairman to report the Bill back to the House and recommend its passage as amended —
Report of the Committee agreed to.
Bill ordered engrossed.

Mr Dixon reported that the committee of the whole have had under consideration the House Bill No 34 Entitled An Act to grant to Edward J. Brickell a right to construct and maintain a Toll Road —
Have gone through therewith, have

made some amendments thereto, and have directed their Chairman to report the Bill back to the House and recommend its passage as amended —

Mr Stewart offered the following Amendment.

Add after the word "Located" in the 4th line in Sec 3. the following —

Provided said Grantee his agents or assigns shall not collect Toll or Tolls of persons emigrating with their families from any State or Territory east of the Rocky Mountains to this Territory or the State of California —

The question was taken on the adoption of the amendment —

Ayes. Mr Jones, Nelson, Stewart, Mr Speaker — 4

Nays. Mr Barclay, Clagett, Curlin, Dean, Dixon, Fisher, Gillespie, Love, Heaton, Hess, Hunter, McDonald, Phillips, Tunnant, Trask, Wager. 16

Lost.

The question was then taken on agreeing to the report of the Committee.

Report agreed to — Bill ordered engrossed —

Mr Dixon reported that the Committee of the Whole have had under consideration the House Bill No 14 — entitled An Act to provide for the location of Coal Lands, have made no amendments thereto, and have directed their Chairman to report the Bill back to the House and ask leave to sit again.

Report agreed to. Leave granted to sit again

Mr Gillespie from the Committee on Engrossment presented the following Report —

Mr Gillespie reports ... that the Standing Committee on Engrossment have carefully compared the following Entitled House Bill with the original as ordered engrossed and found the same correctly engrossed viz.

An Act to encourage enlistments and give Bounties and extra pay to our Volunteer Soldiers —

Also

An Act to amend an Act entitled An Act to regulate proceedings in Criminal Cases, in Courts of justice Approved Nov 26 1861 —

Also

An Act prescribing the manner of commencing and maintaining action by or against Counties — Bills ordered to a third reading —

Mr Gillespie from select Committee presented the following report —

Mr Gillespie reported that the select Committee Comprising Messrs Gillespie, Clagett, and Tunnard, have had under consideration the House Bill No 33, entitled An Act relating to County Prosecuting Attorneys — have come to a conclusion thereon and have directed their Chairman to report the Bill back to the House for its consideration —

The Report was agreed to and Committed to a Committee of the whole and ordered printed —

Message from the Council —

Council Chamber Jany 29, 1864

To the Hon the Speaker of the House of Representatives }

I herewith transmit to your Hon Body Council Bill No 31 — An Act to incorporate the town of Aurora, to the City of Aurora, for the approval of your Hon Body.

Resp — P. G. Clark —
Secy Council —

Bill read first and second time — Referred to the Esmeralda Delegation.

Message from the Council —

Council Chamber
Jany 29th 1864 —

To the Hon the Speaker of the House of Representatives.

In accordance with a Resolution of your Hon Body this day received. I herewith return Concurrent Resolutions with Memorial to the California Legislature, the same having been indefinitly postponed by the Council.

Respectfully
P. G. Clark Secy C—

Also.

I herewith return to your Hon Body House Bills Nos 24 and 44 — the same having passed the Council without Amendment. Also House Bill No 16 with Amendments the same having passed the House, Also I herewith transmit — Council Bill No 57. for your Concurrence. Also I herewith transmit — to House Bills No 4 the same having been indefinitly postponed —

Resp — P. G. Clark. Secy Council.

Council Bill No 57. An Act to provide for the Construction of a Macadamized road from Carson City in the County of Ormsby to the town of Empire in said County. Read first and second time.

Mr Gillespie moved the rules be suspended and the Bill placed on its final passage — Carried —

Third reading of the Bill —

The question was taken on the final passage of the Bill

Aye. Mr Calder. Clagett. Curler. Dean. Dixon. Gillespie. Gove. Healon. Hess. Hunter. Jones. McDonald. Phillips Stewart. Trask. Mugan. Mr Speaker. 17.

Nay. Mr Nelson. 1.

The Bill declared duly passed —

The Clerk ordered to transmit the Bill to the Council with a message informing that Body of the action of the House —

"House Bill No 32 Entitled An Act for the relief of Henry Peck-Burnham — Bill ordered Enrolled —

House Bill No 32 Entitled Entitled An Act to legalize the election and official acts of the Justices Probate Judges and prosecuting Attorneys in the Territory of Nevada — Bill ordered enrolled —

"House Bill No 16" — An Act to Incorporate the City of Star in the County of Humboldt — with Amendment — Whereever the Word "February" occurs strike out and substitute the word "March" —

Mr Clagett moved the Council Amendment be Concurred in —

Aye Mr Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gove. Healon. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart. Tennant. Trask. Mr Speaker — 19 —

Nay — None — Carried —

Bill ordered enrolled —

House Bill No 4 Entitled An Act providing for the order in which Territorial and County Warrants shall be paid and the rate of Interest they shall bear — Ordered Enrolled —

House Bill No 7 Entitled An Act repealing an Act Entitled An Act Amendatory of Section 34 of an Act entitled An Act defining the time of Commencing Civil Actions. approved Nov 21st 1861 — Indefinitely postponed by Council.

Mr Blagett moved the House do not concur in the action of the Council — Carried —

Mr Elliott moved That a Committee of conference be appointed to confer with a like Committee of the Council. Carried —

The Speaker appointed Messrs Elliott, Dixson and Fisher, as such Committee — The Clerk ordered to transmit the Bill back to the Council with a message stating the action of the House. and request the Council to appoint a Committee of Conference —

Mr Barclay presented the following report

Your Committee to whom was referred Council Bill No 21 — An Act to amend an act entitled an act to amend an act establishing a Common School System for the Territory of Nevada Approved Nov 29th 1861 — Approved Dec 20th 1862 beg leave to report a Substitute Bill for the same and recommend its passage. all of which is respectfully submitted —

Thos Barclay
Chairman

The substitute committed to a Committee of the Whole

On leave Mr McDonald Introduced a bill Entitled An act in relation to Probate Judges and Prosecuting Attorneys of Lyon, Churchill, Sander, and Ormsby Counties. Read first and second time. On Motion of Mr McDonald Referred to the Lyon, Sander & Ormsby Delegations.

Mr Gennant from the Committee on Enrollment Reported Bill No 38 Entitled An act for the relief of Hiram Knowles.

There being some errors —

Mr Clagett moved the Bill be referred back to the Committee on Enrollment and the Committee instructed to enroll from the original Bill with Council Amendments Carried —

Mr Elliott offered the following Resolution

Resolved. That this House shall continue in Session from 10 O. Clock A.M. until 3. O.clock P.M. of each and every day of this Session, so long as there is any business before the House —

Mr Gillespie moved to amend by adding — until otherwise ordered —

Lost.

Mr Stewart moved to strike out and insert 3 O.clock —

Lost.

The question was then taken on the adoption of the resolution —

Lost.

On leave Mr Stewart from Select Committee to Ormsby Delegation presented the following Report

Mr Stewart reported that the Select Committee of Ormsby County

Delegation have had under consideration the House Bill No 80 - entitled "An Act to legalize Acts and orders of the Commissioners of Ormsby County and have come to a favorable conclusion thereon, and have directed their Chairman to report the same back to the House, and recommend its passage - Bill read first and second time. Ordered printed and committed to a Committee of the Whole -

Mr Calder from the Committee on Internal Improvements presented the following report.

Mr Calder reported that the Committee on Internal Improvements have had under consideration the Council Bill No 81. entitled An Act authorizing B. Morton to construct a Toll Road. have directed their Chairman to report the bill back to the House and recommend its passage. Bill committed to a Committee of the Whole -

Mr Blagett moved to adjourn Carried - House adjourned -

Nineteenth Day.

Saturday January 30th 1864

Pursuant to adjournment the House was called to order at 10 O'Clock A.M.

Upon the Roll being called the following were present.

Mr Barclay. Calder. Clagett. Cutler. Dean. Dixson. Elliott. Fisher. Gove. Heaton. Hess. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Trask. Unger. Partridge. Mr Speaker. 22.

Absent Mr Babcock. Brumfield. Gillespie. Gray. Rogua. 5.

Prayer by the Chaplain —

Minutes of the preceding day read and approved —

The Speaker announced Reports of Standing Committees next in Order.

Mr Mc Donald from the Committee on Mining Affairs presented the following Report.

Mr Mc Donald reported that the Committee on Mining affairs have had under Consideration the Council Bill No 54 Entitled An Act to encourage the discovery and Manufacture of Minerals, have directed that Chairman to report the same to the House and recommend its passage —

The Bill was Committed to a Committee of the Whole —

Mr Elliott from the Committee on Judiciary presented the following Report — Mr Elliott reported that the Committee on the Judiciary have had under Consideration the

Concurrent Resolution and Memorial relative to the Judiciary System of Nevada Territory. have directed their Chairman to report the same back with some amendments and recommend its passage.

The Resolution and Memorial were Committed to a Committee of the whole and ordered printed —

Also.

Mr Elliott reported that the Committee on Judiciary have had under Consideration the Council Bill No 13 entitled An Act to amend an Act entitled An Act to regulate Proceedings in Civil Cases in the Courts of Justice of the Territory of Nevada — have directed their Chairman to report back the same with some amendments and recommend its passage.

The Bill was Committed to a Committee of the whole.

Mr Blagett from the Committee on Corporations presented the following report.

Mr Blagett reports that the Committee on Corporations have had under Consideration the Council Bill No 24 entitled An Act authorizing the Mountain Torrent Gold and Silver Mining Company to change its principal place of business have come to a favorable Conclusion thereon have directed their Chairman to report the same back to the House and recommend its passage. The Bill was Committed to a Committee of the whole —

Mr Dixon from the Committee on Colleges and Common Schools presented the following report

Mr Dixson reported that the Committee on Colleges and Common Schools have had under consideration the Council Bill No 23. entitled "An Act. To Amend an act entitled an act to amend an act entitled an act Establishing a Common School system for the Territory of Nevada Approved Nov 29" 1861 Approved Dec 20" 1862. have directed their Chairman to report the Bill back to the House and recommend its passage. Report agreed to. The Bill was committed to a Committee of the whole.

Mr Heaton from the Committee on Ways and Means presented the following Report.

Mr Heaton reported that the Standing Committee on Ways and Means have had under Consideration the Matter of Territorial and County Revenue. and having perfected a Bill entitled "An act to provide for the assessing and Collecting County and Territorial Revenue have directed their Chairman to report the same herewith and recommend its passage.

The Report was agreed to and the Bill was committed to a Committee of the whole and ordered printed.

Mr Calder from the Committee on Internal Improvements presented the following report.

Mr Calder reported that the Committee on Internal Improvements have had under consideration the Council Bill No 26. entitled An Act granting to N. G. Alban the right to float logs and other

in Walker river. Have made some amendments thereto, and have directed their Chairman to report the bill back to the House and recommend its passage —

Report agreed to & the Bill was committed to a Committee of the whole —

Also

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 55. entitled An Act to grant. J. Sanders Smith and others the right to construct a toll road from Walker City to Pleasant Valley have directed their Chairman to report the Bill back to the House and recommend its Rejection.

The question was taken on agreeing to the report — Agreed to —

Mr Stewart from the Committee on Engrossment presented the following Report.

Mr Stewart reported that the Committee on Engrossment have had under consideration House Bill No 6. entitled "An Act to provide for the appointment of Notaries Public and defining their duties and find the same correctly engrossed, and have directed their Chairman to report the same back to the House —

The Bill was ordered to a third reading.

Mr Fisher from the Committee on Claims presented the following Report.

Mr Fisher reported that the Committee on Claims have had under consideration the House Bill No 35. entitled An Act for the relief of Michael Kelly. have come to a favorable conclusion thereon, and have

directed their Chairman to report that fact to the House — Report agreed to. The Bill was committed to the Committee of the whole and ordered printed.

Also.

Mr Fisher reported that the Committee on Claims have had under consideration the House Bill No 12 entitled An Act for the relief of Wm. H. Raleigh and John S. Ford. have come to a favorable conclusion thereon and have directed their Chairman to report that fact to the House — Report agreed to. The Bill was committed to the Committee of the whole and ordered printed.

Mr Gillespie from the Select Committee of the Virginia portion of the Storey Delegation presented the following report

Mr Gillespie reported that the Select Committee comprising the Virginia portion of the Storey County Delegation have had under consideration the House Bill No 64 entitled An Act amendatory of and supplementary to an act entitled An Act to authorize the incorporation of the City of Virginia — Approved Dec 19th 1862. have come to a favorable conclusion thereon, and have directed their Chairman to report the Bill back to the House and recommend its passage.

The report was agreed to and the Bill committed to the Committee of the whole and ordered printed.

Mr Barclay from the Select Committee of the Virginia

portion of the Storey Delegation presented the following report.

Mr Speaker.

The Virginia portion of the Storey Delegation to whom was reffered an Act describing the duties and powers of the Police Magistrate of Virginia City have had the same under consideration and report the Bill back and recommend its passage. All of which is respectfully submitted

Thos Barclay.

Report agreed to. and the Bill committed to the Committee of the whole - and ordered printed.

Mr Fisher from Special Committee composed of the Lyon and Douglas Delegation presented the following report

Mr Fisher reported that the Committee composed of the Lyon and Douglas Delegations have had under consideration the House Bill No 79 - entitled "An Act granting to J.W. Haines. and his associates the right to construct and maintain a Toll Road in Douglas and Lyon Counties, have come to a favorable conclusion thereon, and have directed their Chairman to report that fact to the House -

Report agreed to - and Bill committed to the Committee of the whole and ordered printed -

Mr Dixson from Special Committee composed of the Sander Delegation presented the following Report.

Mr Dixson from the Select Committee composed of the Sander Co Delegation reported that they have had under consideration the Council Bill No 33. entitled "An Act granting to J.M. Forsyth and his associates the

right to furnish the town of Coral City with water. and directed their Chairman to report the Bill back to the House without amendment and recommend its passage. Report agreed to. Said Bill was Committed to the Committee of the whole.

The Speaker announced the notice of the Introduction of Bills on his Order—

Mr Barclay gives notice that he will at an Early day introduce a bill Entitled An Act to amend an act entitled An Act to regulate Fees and Costs. Approved Nov 29th 1861—

Mr Leonard gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act. To authorize certain persons to construct and maintain a Toll Road from Clifton in the County of Lander to the town of Cortez in the Cortez Mining district.

Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled "An Act for the relief of E. B. Nail—

Mr Stewart gives notice that he will, at some future day ask leave to introduce a bill entitled An Act in Relation to Contracts payable in Coin,

On leave Mr Mc Donald from the Select Committee Composed of the Lyon Lander and Ormsby Deligations presented the following Report—

Mr Mc Donald reported that the Select Committee Composed of the Lyon, Lander, and Ormsby Deligations

have had under consideration the House Bill No 83, entitled An Act in relation to Probate Judges and Prosecuting Attorneys of Lyon, Lander, and Ormsby Counties, have directed their Chairman to report the same back to the House and recommend its passage.

The Bill was committed to a Committee of the whole and ordered printed.

The Speaker announced Third Reading of Bills next in order — Mr Gillespie moved Council Bill No 23 be taken up out of the regular order of business — Carried —

Third reading of Council Bill No 23 Entitled An Act to amend an Act Entitled An Act to amend an Act establishing a Common School System for the Territory of Nevada — Approved Nov 29" 1861. Approved Dec 20" 1862.

The question was then taken on the final passage of the Bill.

Aye. Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixon, Elliott, Gillespie, Gove, Heaton, Hunter, Jones, Mc Donald, Nelson, Phillips, Stuart, Tennant, Tuck, Wongar, Mr Speaker. 21.

Nay, None.

The Speaker declared the Bill duly passed, and ordered the Clerk to transmit the Bill to the Council with a message informing that Body of the action of the House.

Third reading of House Bill No 15 Entitled An Act prescribing the manner of commencing actions by or against Counties

The question was then taken on its final passage ——

Aye. Mr Brumfield. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Grove. Heaton. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Trask. Ungar. Mr Speaker — 20

Nay. None.

The Speaker declared the Bill duly passed — The Clerk was ordered to transmit the Bill to the Council for its Concurrence —

Third reading of House Bill No 11 Entitled An Act to amend an act entitled An Act to regulate proceeding in Criminal Cases in Courts of Justice Approved Nov 26th 1861 —

The question was then taken on the final passage of the Bill.

Aye. Mr Brumfield. Calder. Clagett. Curler. Dean. Dixson. Fisher. Gillespie. Grove. Heaton. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Trask. Ungar. Mr Speaker. 20.

Nay. None.

The Speaker declared the Bill duly passed — The Clerk was ordered to transmit the Bill to the Council for its Concurrence.

Third reading of House Bill No 28 An Act to encourage enlistments and to give Bounties and extra pay to our Volunteer Soldiers

The question was then taken on the final passage of the Bill.

Aye. Mr Barclay. Brumfield. Clagett. Calder. Curler. Dean. Dixson. Elliott. Fisher. Grove. Heaton. Hunter. Jones. Nelson. Phillips. Stewart. Tennant. Trask. Mr Speaker. 19 —

Nay. Mr Mc Donald — 1 —

The Speaker declared the Bill duly passed. The Clerk was ordered to transmit the Bill to the Council for its Concurrence.

Message from the Council.

Council Chamber Jany 30 1864

To the Hon the Speaker of the House of Representatives

I am instructed by the Council to inform your Honorable House that the Council indefinitely postponed House Bill No 7. and cannot comply with the request of the assembly to appoint a Committee of Conference for its further consideration — The action of the Council is a final disposition of the Bill and it is not in the estimation of the Council a proper subject for further consideration under parliamentary law

Respectfully
T. G. Clark Secy Council

Mr Blagett moved the Communication be indefinitely postponed —

Mr Fisher moved to amend that it lie on the Table

Mr Blagett accepted Mr Fisher's amendment.

The question was then taken on the motion to lay the Resolution on the Table. Carried

Communication ordered to lie on the Table.

By unanimous consent House Bill No 6 was passed to a third reading.

Third reading of House Bill No 6 entitled An Act to provide for the appointment of Notaries Public and defining their duties.

The question was then taken on the final passage of the Bill —

Ays. Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Heuster. Jones. McDonald. Phillips. Stewart. Tennant. Trask. Ungar. Mr Speaker — 21 —

Nays. None —

The Speaker announced the Bill duly passed

The Clerk was ordered to transmit the Bill to the Council for its Concurrence

Message from the Council —

Council Chamber Jany 3rd 1864

To the Hon the Speaker of the House of Representatives

Sir I transmit to your Hon Body for Concurrence Bills No 30 An Act to amend an act entitled An Act to incorporate the Town of Gold Hill, Approved Dec 17th 1862. also —

Council Bill No 24. An Act to amend an Act entitled An Act establishing a Common School System for the Territory of Nevada. Said Bills having passed the Council this day, as amended.

Respectfully S. G. Clark
Sec Council —

Council Bill No 30. An Act to amend an act entitled An Act to incorporate the Town of Gold Hill, Approved Dec 17. 1862.

Read first and second time —

On Motion of Mr Gillespie the Bill was referred to the Gold Hill portion of the Storey Delegation —

Council Bill No 25 An Act to incorporate the Billion Insurance Company — Read first and second time — Referred to the Committee on Corporations —

Council Bill No 64 An Act to amend an act entitled an act establishing a common School System, for the Territory of Nevada. Approved Nov 29" 1861" Read first and Second time — Referred to the Committee on Colleges and Common Schools.

On leave Mr Tennant withdrew House Bill No 31 entitled An act supplementary and amendatory to an act defining the Judicial Districts fixing the Terms of the Supreme Court and District Courts of the Territory, locating the County seats of the several Counties of the Territory for the Transfer and Trial of Causes, Approved Nov 29" 1861 from the Judiciary Committee

The Speaker announced Motions and Resolutions next in order.

Mr Gillespie offered the following Resolutions

Resolved that this House will consider no one of the Council Bills unless the same are properly engrossed on Supreme Court paper, in the usual manner —

Resolved that the Clerk of this House be and he is hereby instructed to transmit a copy of the House Resolution to the Hon the Council —

Mr Mc Donald moved that the Resolution be adopted Carried — The Clerk was ordered to transmit a copy to the Council —

Mr Blagett offered the following Resolution —

Resolved That Barach Asham is hereby licensed a seat

upon the floor of this House for the remainder of the session for the purpose of enabling him to carry out his laudable desire to perfect himself in the art of Phonography.

Mr Kennant moved the resolution be adopted — Carried —

Mr Cove offered the following Resolution

Resolved that Council Bill entitled "An Act to authorize and require the County Commissioners of Esmeralda County to procure the Manuscript of certain Records" be taken up from the Committee of the whole and committed to a Special Committee of five and that said Special Committee shall have power to examine persons under oath, and are hereby required to report the said bill back to this House as soon as practicable —

The question was then taken on the adoption of the Resolution — Carried The Speaker appointed Messrs Cove, Stewart, Calder, Ness, & Barclay, on said Committee —

Mr Stewart offered the following Resolution —

Resolved that the Sergeant of Arms be and he is hereby authorized to furnish Master Ashaw a seat and desk on the floor of this House near the Clerks Stand, also that he be allowed the use of paper, pens and ink from the Clerk, for reporting.

Mr Fisher moved the Resolution be adopted — Carried —

Mr Heaton offered the following Resolution.

Resolved that all Bills of a Public nature shall take precedence in Committee of the Whole—

Mr Fisher moved the Resolution be laid on the Table — Carried —

Mr Gillespie offered the following Resolution.

Resolved that the Speaker of this House appoint an addition al member on the standing Committee on engrossed Bills, (and one on the Committee on Enrollment—)

Mr Tennant moved to amend adding "and one on the Committee on Enrollment—

Mr Gillespie accepted the amendment — The question was taken on the adoption of the Resolution as amended — Carried —

Mr Fisher moved the Council Concurrent Resolution in relation to the Boundary question be taken from the table — Carried —

Mr Fisher moved a call of the House — Carried —

Mr Dixon moved Mr Cove be admitted — Carried —

Mr Gillespie moved the Sergeant at arms be instructed to lock the outer door — Carried —

The Clerk made a list of the absentees and placed it in the hands of the Sergeant-at-arms. as follows — Mr Barclay, Clugett, Cutler, Dean, Cove, Hess, McDonald, Nelson, Phillips, Stewart—

Mr Gillespie offered the following Re-

solution — Resolved that each Absentee Member of the House without leave be held in Contempt of the House, and that they be fined the sum of one dollar — said sum to be paid to the Sergeant, at, arms, unless said absent Member be excused by vote of the House —

The Sergeant-at-arms announced the absentees —

Mr Blagett came forward and gave his excuse — Mr Dixson moved Mr Blagett be excused — Carried —

Mr Heaton moved all further proceedings under the Call of the House be dispensed with Carried — Mr Blagett moved all under Contempt of the House be excused — Carried —

Mr Blagett moved to adjourn — Carried —

House adjourned until Monday at 10 O:Clock —

Twenty first day.

Monday Feby 1st 1864.

Pursuant to adjournment the House was called to order at 10 O.Clock A. M.

Upon the roll being called the following were present —

Messrs Brumfield, Clagett, Curler, Dean, Dixson, Elliott, Gillespie,

Gove. Heaton. Hess, Hunter, Jones, Stewart, Tennant, Trask, Patridge, Mr Speaker, 17.
Absent. Mesrs Babcock, Barclay, Calder, Fisher, McDonald, Nelson, Phillips, Regua, Ulmgar, 9—

Prayer by the Chaplain.

Minutes of the preceding day read and approved.

Mr Hunter moved the name of Mr Babcock be dispensed with in the calling of the roll— Carried—

The Speaker appointed on Mr Gillespie's Resolution of Saturday requiring an additional member to the Committee on Enrollment and Engrossment— Mr Patridge on Engrossed Bills and Mr Barclay on Enrolled Bills.

The Speaker announced presentation of petitions next in order

Mr Trask presented a petition praying that the Roads known as the California and Oregon Emigrant roads be forever kept free—

Mr Trask moved it be referred to a select Committee of seven— Carried— The Speaker appointed Mesrs. Trask, McDonald, Curler, Brumfield, Gillespie, Elliott, & Heaton— on said Committee.

Mr McDonald presented a petition praying for a franchise from the terminus of the Kingsbury and McDonald Road in Carson Valley, East to the Esmeralda road thence in a North easterly direction to Como in Lyon and Palmyra districts.

The Petition ordered to lie on the table—

The Speaker announced Reports of Standing Committees next in order —

Mr Stewart from the Committee on Internal Improvements and Ormsby Delegation presented the following report:

Mr Stewart reported that the Committee on Internal Improvements and Ormsby Co Delegation have had under consideration the Council Bill No 24 entitled An Act granting certain parties the right to construct and maintain a Toll Road from the Timber lands east of Lake Tahoe to Virginia, and have directed an unfavorable conclusion thereon and directed their Chairman to report the same back to the House and recommend its rejection. M. Stewart. W.H. Brumfield. S.E. Jones. Benj Butler —

Mr Calder presented the following Minority Report.

The minority of the Select Committee to whom was referred Council Bill No 24, entitled An Act granting to certain parties the right to construct a Toll Road from the East shore of Lake Tahoe to the Ophir Grade or Virginia City — report thereon as follows —

That said road if constructed would be of great public utility by making accessible to the Public usu- all that vast body of timber lying between the summit of the East range of the mountains west of Eagle Valley and Lake Tahoe and south of the south end of Washoe Valley covering an area of more-

than 40,000 acres of the best timber land in the country. That by the construction of said road Carson City would be brought within Eight Miles of the center of said timber, and the mining region from American Flat to Virginia City twelve to fifteen miles from the same. That at present a very small portion of said timber situate in the South end of Washoe valley, is accesible, and even that to reach the market in the mining region about Virginia City, Gold Hill, and Silver City, has to be hauled more than twenty miles, and a portion of the way over heavy roads.

Your Committee further represent that there are now several Saw-Mills in the south end of Washoe Valley, and upon the completion of said road, many more would be erected in the Mountains.

That as a consequence additional supplies of lumber would reach the Markets in every town from the Capitol to Virginia City. That the mining interest would also be greatly promoted by an additional supply of Mining Timbers and fuel.

When we observe that more than twenty five miles in distance between the timber region and the place of consumption of such a vast quantity of Timber, is annihilated by such proposed road, with the probability of obtaining a road of peculiarly easy transportation as those now used the importance to the public of granting the franchise is at once made manifest. But it is objected that the grant of this franchise would interfere with franchises previously granted. More than a year ago

a franchise was granted, covering a portion of the route of the present proposed road. The parties holding that franchise do not appear to resist the grant of this, being fully satisfied that to make the route a complete one and of value, it is necessary to add the part south of the Lake View House and extending into the Timber. We are advised that if that road is built it will be under this franchise, and on that account the parties in interest are not objecting to this Bill—

This Franchise cannot interfere with the one passing through and known as the Kings Cañon road—

1st This timber road at the point of starting is not allowed to come within half a mile of the Kings — Cañon Road.

2nd That crosses the mountain 11 miles south of Carson, this 3 or more miles north

3rd The first, in its great length, keeps on the East side of the mountain, the other on the west, — and for more than ten miles along the line of said roads, it would be almost impossible for a footman to pass from one side to another on account of intervening mountains — the distance at the extreme divergence being more than six miles—

But it is said, that in good faith the Kings Cañon Road is entitled to have the timber in the mountains west of Carson brought over it— All the timber on the eastern slope of the mountains would ordinarily pass over the Kings Cañon Road; but the to-

topography of the country makes it impossible to build a road connecting that road with the timber west of the mountains, nearer than the head of Clear Creek 10 miles distant from Carson; then, to get to the heart of the timber would require a road Eight miles in length placing the center of the timber belt west of the mountain, at not less than 18 miles from Carson and more than 30 miles from Virginia City Gold Hill and the mining district — by the Kings Canon Road — In our opinion the Kings Canon Road was not constructed with reference to the timber, but to accomodate the travel over the mountains which it must ever control owing to its commanding position.

It would be an unjust fostering a monopoly to prevent the construction of roads to the timber lands by compelling the hauling of fuel and timber double the distance necessary, merely to enrich the holders of a particular franchise. Surely such a thing could never have been contemplated in any grants of franchises heretofore made —

The intimation made in the points filed with the Committee, that the objects of procuring this franchise was merely to levy black mail upon other roads — hardly finds a serious consideration.

Such intimation carries with it the inference that the Companies owning the other roads, have more nearly their personal interests in view than the public good and notwithstanding the ruinous results to the public they are ready

to enter the market, for the purpose of preventing improvements that must redound to the benefit of every section of the Territory—

The undersigned therefore recommend the passage of said Bill

All of which is respectfully submitted

J. H. Calder
Robt Fisher.

The question was then taken on agreeing to the Minority report

Lost.

Mr Gillespie moved the Majority report be adopted

Carried — The Bill rejected.

The Clerk was ordered to transmit the Bill to the Council with a message informing it of its rejection.

Mr Dixon from the Committee on Colleges and Common Schools presented the following report.

Mr Dixon reported that the Committee on Colleges and Common Schools have had under consideration the House Bill No 27 entitled An Act amendatory of and supplementary to an act entitled an act to establish a Seminary of learning in Carson City Approved Nov 21" 1861— have made some amendments thereto and directed their Chairman to report the Bill back to the House and recommend its passage

Report accepted — The Bill was committed to the Committee of the whole and ordered printed—

Mr Brumfield from the Committee on Judiciary presented the following report—

Mr Brum field reported that the Committee on the Judiciary have had under consideration the House Bill No 25 entitled an act relating to parties to Civil actions. have come to a favorable Conclusion thereon have directed their Chairman to report the same back and recommend its passage.

The report was agreed to and the Bill Committed to a Committee of the whole and ordered printed —

Message from the Council —

Council Chamber January 30 "1864 —
To the Hon the Speaker of
the House of Representatives

The Council have this day adopted the Concurrent Union Resolutions as reported by the House also have adopted an additional Resolution herewith reported for the approval of your Hon Body —

Respectfully S. S. Clark —
Secy Council

The Concurrent Resolutions ordered enrolled —

The additional Resolution referred to the Committee on Federal Relations.

The Speaker announced the notice of the Introduction of Bills next in order —

Mr Turnant gives notice that he will after Early day ask leave to introduce a Bill — entitled "An Act To Compel the County Commissioners of the several Counties to have surveyed the boundary lines of their respective Counties

Mr Brumfield gives notice that he will at some future day ask leave to introduce a bill entitled An act to legalize the assessment rolls, and delinquent Tax lists of Ormsby County for the years 1862 and 1863, and to provide for the collection of the taxes thereon—

Mr Brumfield gives notice that he will, at some future day ask leave to introduce a Bill entitled An act to amend an act entitled An act Creating Boards of County Commissioners and defining their duties.

Mr Hess gives notice that he will at some future day ask leave to introduce a bill entitled An Act Regulating fees of Justices of the Peace, and Constables of Esmeralda County—

Mr Blagett gives notice that he will at some future day ask leave to introduce a bill entitled An act Concerning Franchises—

Mr Blagett gives notice that he will, at some future day ask leave to introduce a bill entitled an act for the encouragement of Mining—

Mr Wanger gives notice that he will, at some future day ask leave to introduce a bill entitled an act for the benefit and protection of joint Tenants Tenants in Common and Co-partners

Mr Stewart gives notice that he will, at some future day ask leave to introduce a Bill entitled "An Act Amending an act in Relation to the Militia of the Territory of Nevada — Approved Nov 28th 1861 —

The Speaker announced the Introduction of Bills next in order — Mr Stewart Introduced a Bill Entitled An Act for the relief of E.B. Reid. Read first and second time, Referred to the Committee on Claims.

Mr Tennant introduced a Bill Entitled an act to authorize Thos. M. Suther his associates and assigns to construct a Toll Road from Austin in the County of Lander to the Town of Geneva.
Read first and second time — Referred to the Committee on Internal Improvements —

Mr Elliott Introduced a Bill Entitled An Act to Incorporate Virginia, Gold Hill, Washoe and Carson City Rail Road Company — Read first and second time —

Mr Elliott moved it be referred to a Committee of seven from Washoe Ormsby and Storey County Delegations — Carried —

The Speaker appointed Mesrs Elliott, Gillespie, Love, Stewart, Ungar, Jones, & Heaton on said Committee,

Mr Clagett Introduced a Bill Entitled An Act Concerning Franchises, Read first and second time —

Mr Dixon moved the rules be Suspended and the Bill placed on its final passage — Lost —

The bill was referred to the Committee on Internal Improvements—

Mr Blagett moved the Committee be instructed to report at their earliest convenience. Carried

The Committee so instructed—

Mr Calder Introduced a Bill entitled An Act authorizing E. Dexter, J. M. Dexter and C. W. Baldwin to construct and maintain a Toll Road in Esmeralda County—

Read first and second time, and referred to the Committee on Internal Improvements.

The Speaker announced Motions and Resolutions next in order

Mr Elliott called up the Resolution offered by Mr Heaton on Saturday last

Resolved That Bills of a public nature shall take precedence in Committee of the whole—

Adopted—

Mr Hess offered the following Resolution

Resolved That Messrs Heaton and Dixon be added to the Special Committee appointed to take into Consideration the Record Matter of Esmeralda County—

Mr Elliot moved the Resolution be adopted, Carried,

Mr Blagett offered the following Concurrent Resolution—

Resolved by the House the Council concurring That the Legislative assembly will adjourn sine die at 12 o'clock P.M on Saturday the 6th instant—

Resolution laid over one day —
Reading of General Orders of the day.
Mr Elliott called up House Bill No 9. An Act to provide for the transfer of estates and all proceedings had thereon from one County to another in case of the erection of new out of old Counties —

Mr Elliott called up No 54 An Act to attach Roop County to Washoe County for Legislative purposes.

Mr Elliott called up No 13 An Act relating to the sale of real estate and mining claims belonging to deceased persons.

House went into a Committee of the whole on Bills Nos 9 — 54 and 13. Mr Gillespie in the Chair —
Reports of the Committee.
Mr Gillespie reported that the Committee of the whole have had under consideration the House Bill No 9 entitled "An act to provide for the transfer of Estates and all proceedings had thereon from one County to another in case of the Erection of new out of old Counties, have gone through therewith. have made some amendments thereto. and directed their Chairman to report the same back to the House and recommend its passage, as amended.
Report agreed to
The Bill ordered engrossed for third Reading —
Mr Gillespie reported that the Committee of the whole have had under consideration the Council Bill entitled An Act to attach —

Coos County to Washoe County for Legislative purposes — have gone through therewith, and made some amendments thereto, and have directed their Chairman to report the same back to the House and recommend its passage —
Report agreed to — The Bill ordered to a third reading —

Mr Gillespie reported that the Committee of the whole have had under consideration the House Bill No 13. entitled "An Act Relating to the sale of Real estate and mining claims belonging to deceased persons, have made some progress but not having gone through therewith. Have directed their Chairman to report that fact to the House and ask leave to sit again —
Report agreed to, and leave granted to sit again —

Mr Clove reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original as ordered Engrossed and found the same correctly engrossed, viz —

An Act Amendatory of An Act defining the Judicial Districts fixing the terms of the Supreme and District Courts of the Territory locating the County seats of the several Counties of the Territory and providing for the transfer and trial of actions Approved Nov 29th 1861 —

Also An Act to grant to Edward J. Brickell a right to Construct and maintain a Toll Road —

Mr Gillespie moved the rules be suspended and the Bills placed

on their final passage – Carried –
Third reading of House Bill No 34 An act to grant to Edward J. Brickell the right to construct and maintain a Toll Road –
The question was then taken on the final passage of the Bill –
Aye Mr Brumfield. Calder – Clagett. Curler. Dean. Elliott. Gillespie. Love. Heaton. Hess. Hunter. Jones. McDonald. Stewart. Tennant. Trask. Ungar. Fisher. 18.
Nay. None –
The Speaker announced the Bill duly passed – The Clerk was ordered to transmit the Bill to the Council for its Concurrence.
Third reading of House Bill No 28. An Act Amendatory of an Act Defining the Judicial Districts fixing the terms of the Supreme and Districts Courts of the Territory locating the County seats of the several Counties of the Territory and providing for the transfer and trial of action – Approved Nov 29th 1861 –
The question was then taken on the final passage of the Bill –
Aye Mr Brumfield. Clagett – Curler. Dean. Elliott. Fisher. Gillespie. Love. Heaton. Hess. Hunter. Jones. McDonald Stewart. Tennant. Trask. Ungar – Mr Speaker. 18.
Nay. None.
The Speaker declared the bill duly passed. The Clerk was ordered to transmit the Bill to the Council for its Concurrence –
On leave Mr Calder from the Committee on Internal Improvements presented the following Report –

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 91. entitled an Act Concerning franchises — have directed their Chairman to report the Bill back to the House and recommend its passage —

The report was accepted and the Bill committed to the Committee of the Whole and ordered printed.

Mr Calder from the Esmeralda Delegation presented the following report

Mr Calder reported that the Esmeralda Delegation have had under Consideration the Council Bill No 31 entitled an Act Incorporating the Town of Aurora — have directed their Chairman to report the Bill back to the House and recommend its passage — The report was accepted and the Bill Committed to the Committee of the Whole —

Mr Calder moved the rules be suspended and the Bill placed on its final passage — Carried —

Third reading of Council Bill No 31 Entitled an Act Incorporating the town of Aurora to the City of Aurora.

The question was then taken on the final passage of the Bill —

Aye

Mr Brumfield, Calder, Clagett, Curler, Dean, Dixson, Fisher, Gove, Heaton Hess, Hunter, Jones, Phillips, Stewart, Tennant, Track, Wongar. 17.

Nay Mr Elliott, Gillespie, McDonald, Mr Speaker — 4 —

The Speaker declared the Bill duly passed — The Clerk was ordered to transmit the Bill to the Council with a message informing that Body of the action of the House —

Mr Phillips moved the vote be re-considered — Lost —

Mr Gillespie moved to adjourn

Mr Heaton moved an amendment that the House take a recess until 6:30 P.M. Carried.

House took a recess —

Evening Session

House called to order at 6:30 P.M.

Upon the Roll being called the following were present —

Mesrs Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Heaton, Hess, Hunter, Jones, McDonald, Phillips, Stewart, Tennant, Isack, Partridge, Mr Speaker, Brumfield. 18.

Absent Mr Barclay, Calder, Clagett, Love, Gray, Nelson, Regua, Sugar. 8.

Mr Gillespie moved to take up General Orders of the day. Carried.

Reading of General Orders.

Mr Gillespie called up Council Bill No 14, House Introductory No 67. An act to authorize the Courts of Record of this Territory to admit John B. Hereford as an attorney and Counsellor at Law —

Mr Elliott called up House Bill No 57 An act authorizing Ministerial officers to appoint deputies

Mr Fisher called up Council Bill No 38. House Int No 71 — An act to create a County building fund to build a Jail, Court House, and County offices in and for the County of Douglas

House went into a Committee of the whole on Bills Nos 38 — 67 and 57 —

Mr Gillespie in the Chair —
Reports of the Committee —
Mr Gillespie reported that the committee of the whole have had under consideration the Council Bill No 14. House Int No 64 — entitled "An Act to authorize the Courts of Record of this Territory to admit John B. Henfor as an attorney and Counsellor at Law — have gone through therewith, have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage as amended —
The Report was agreed to, ~~and the Bill ordered engrossed~~ Bill ordered to a third reading.

Mr Gillespie reported that the committee of the whole ~~have~~ had under consideration the Council Bill No 38. House Int No 41. entitled An Act to create a County Building fund to build a Jail, Court House, and County offices in and for the County of Douglas — have gone through therewith, have made no amendments thereto, and have directed their Chairman to report the Bill back to the House and recommend its passage.
The report was agreed to and The Bill ordered ~~engrossed~~ — to a third reading.

Mr Gillespie reported that the Committee of the whole have had under consideration the House No 54 Entitled An Act Authorizing Ministerial officers to appoint Deputies have gone through therewith have made some amendments thereto and have directed their Chairman to report the same back to the House

and recommend its passage—
Report agreed to. and the Bill order engrossed.

Mr Stewart moved to take the Council Concurrent Resolutions and Memorial relating to the Boundary question from the Table — Carried—

Mr Stewart moved to insert the word <u>heretofore</u> in two places before the words disputed. Carried—

Mr Dixson moved that the Concurrent Resolutions be referred to a Committee of three to report to-morrow morning — Lost.

Mr Gillespie moved to amend by inserting the word "Resolved"— further" before the word "That" and striking out the word "Ballot-" and inserting Convention on Wednesday next at 12 O.Clock. Carried

Mr Elliott moved the Resolution be referred to a special Committee of three Mr Barclay moved to amend making the number five. Lost.

The question was taken on Mr Elliotts motion. Lost. Mr Gillespie moved to strike out the first Resolution and strike out the words "previous Resolution" in the second Resolution and insert the words "Organic Act." Carried.

The Resolution as amended reads as follows. Resolved by the Council the House of Representatives Concurring. That a committee of two Competent persons be elected by the Legislative Assembly in joint Convention on Wednesday next at 12 O.Clock to proceed to California and urge upon the Legislature of that State the immediate adjustment of the question of Boundary

upon the basis suggested in the Organic Act.

The question was then taken on the adoption of the Resolution as amended —

Aye. Mr Barclay. Brumfield. Calder. Curler. Drain. Dixson. Elliott. ~~Fisher~~. Gillespie. Love. Heaton. Hess. Hunter. Jones. Phillips. Stewart. Tennant. Wongar. Mr Speaker. 18.

Nay Mr Fisher. Total. 2.

The Speaker announced that the Concurrent Resolution had duly passed. The Clerk was ordered to transmit the Resolution as amended to the Council with a message informing that Body of the action of the House.

Reading of General Orders.

Mr Gillespie called up House Bill No 83 An Act entitled An Act in relation to Probate Judges & Prosecuting Attorneys of Lyon, Churchill, and Ormsby County.

Mr Gillespie up House Bill No 14 An Act to provide for the location of Coal Lands.

Mr Curler called up House Bill No 19. An Act to authorize James A. St Clair and J. J. McCullan to keep and maintain a Toll Road at a point known as the upper Ford of Crossing Old River in Churchill County Nevada Territory. House went in to a Committee of the Whole on Bills Nos 83 — 14 and 19 — Mr Dixson in the Chair — Reports of the Committee of the whole —

Mr Dixson reported that the Committee of the Whole have had under consideration the House Bill No 14 entitled An Act to provide for the Location

of Coal Lands. have not gone through therewith, have made no amendments thereto and have directed their Chairman to report the same to the House and ask leave to sit again. Report agreed to, and Leave granted to sit again;

Mr Dixon reported that the Committee of the Whole have had under Consideration the House Bill No 83. entitled An Act in Relation to Probate Judges and Prosecuting Attorneys of Lyon, Churchill, and Ormsby Counties, have not gone through therewith have made some amendments and have directed their Chairman to report the same back to the House and ask leave to sit again — Report agreed to and leave granted to sit again —

Mr Dixon reported that the Committee of the whole have had under consideration the House Bill No 19 — entitled "An Act to authorize James A. McClain and J. J. McClellan to keep and maintain a Toll Bridge at a point known as the upper Rink Crossing of the Old River in Churchill County Nevada Territory, have made some amendments thereto, have directed their Chairman to report the Bill back to the House and recommend its passage as amended — Report agreed to and the Bill ordered Engrossed —

Carried — Mr Dixon moved to adjourn House adjourned ±

Twenty Second Day.
Tuesday Feby 2nd 1864.

Pursuant to adjournment the House was called to order at 10 O'Clock A.M.

Upon the Roll being called the following were present —

Messrs Barclay. Brumfield. Calder. Clagett. Curler. Dean. Dixon. Elliott Gillespie. Gove. Heaton. Humber. Jones. Phillips. Stewart. Tennant. Trask. Ungam. Partridge. Mr Speaker. 20.

Absent. Messrs Fisher. Gray. Hess. Mc Donald Nelson. Reguea. 6.

Prayer by the Chaplain.

Minutes of the preceding day read and approved —

The Speaker announced Reports of Standing Committees next in Order —

Mr Stewart from the Committee on Colleges and Common Schools presented the following Report

Mr Stewart reported that the Committee on Colleges and Common Schools have had under Consideration the Council Bill No 64, House Int No 87, entitled "An Act to amend an act entitled An Act establishing a Common school System for the Territory of Nevada, Approved Nov 29th 1861 — And have come to a favorable Conclusion thereon and have directed their Chairman to Report the same back to the House and recommend its passage.

The Report was accepted and the Bill was committed to a Committee of the whole —

By unanimous Consent Mr Gillespie presented a petition for a Toll Road from Truckee Meadows

to the Lower Crossing of the Truckee River.
Mr Clagett moved the Petition be indefinitely postponed - Carried -
Mr Gillespie from the Committee on engrossed Bills presented the following Report.
Mr Gillespie reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bill with the original as ordered engrossed, and found the same correctly engrossed - Viz.
An Act to legalized the Election and official Acts of the Surrey Probate Judges and prosecuting Attorneys in the Territory of Nevada.
The Report was accepted, and the Bill ordered to a Third Reading.
Mr Gillespie from the Select Committee of Storey Delegation presented the following Report.
Mr Gillespie reported that the Select Committee comprising the Storey Co Delegation, have had under Consideration the House Bill No Entitled An Act to authorize certain parties to construct a Railroad in the County of Storey and have directed their Chairman to report the Bill back to the House for its Consideration -
The report was agreed to and the Bill committed to a Committee of the Whole and ordered printed at the expense of the parties asking the franchise -

Mr Elliott from the Select Committee of Storey Washoe and Ormsby Delegation presented the following Report.
Mr Elliott reported that the Select Committee from the Counties of Storey, Washoe and Ormsby, have had under Consideration the House Bill No 90. entitled

An Act to incorporate the Virginia City Gold Hill, Washoe and Carson City Rail Road, and have directed their Chairman to report the Bill back to the House for its consideration —

A.B. Elliott — Chairman —

The Report was accepted —

The Bill was committed to a Committee of the Whole and ordered printed at the expense of the Grantees —

Mr Brumfield from the Committee on Judiciary presented the following Report.

Mr Brumfield from the Judiciary Committee to which was referred House Bill No 36 an act to exclude Traitors and alien Enemies from the Courts of justice, do report that the Committee having duly considered the same he is instructed by a Majority of said Committee to report the Bill back to the House and recommend its indifinite postponement for the following Reasons —

1st It seems to your Committee to be a clog in the wheel of speedy Justice of doubtful utility — Every defendant desirous of trifling with the Court and harrassing his adversary would take advantage of its provisions, and less likely to the Public good than otherwise —

2nd It discriminates between Natural and artificial persons — the latter embracing almost our entire population and could not practically be included in its provisions

Respectfully Submitted W.H. Brumfield Chn. —

Mr Elliott from the Committee on Judiciary presented the following Minority Report

Mr Elliott reported that the Committee on the Judiciary have had under consideration the House Bill entitled An Act to exclude Traitors from the Courts of Justice in Civil Cases and begs leave as a minority of said Committee to report back the same to with some amendments and recommend its passage.

A. B. Elliott

The question was taken on recommitting the reports together with the Bill to the Committee of the whole.

Aye. Mr Barclay. Mr Dixon. Elliott. Gillespie. Hess. Hunter. Jones. Phillips. Stewart. Tennant. Trask. 11.

Nay Mr Brumfield. Clagett. Curler. Dean. Fisher. Gove. Heaton. McDonald. Ungar. Mr Speaker. 10.

Carried. The Bill was committed to the Committee of the whole and ordered printed

Mr Gillespie from the Committee on Engrossment presented the following Report.

Mr Gillespie reports that the Standing Committee on Engrossments have carefully compared the following entitled House Bill with the original as ordered engrossed and found the same correctly engrossed Viz" An Act authorizing Ministerial Officers to appoint Deputies.

An Act to authorize James A St Clair and J. J. McClellan to keep and maintain a Toll Bridge at a point known as the upper Lake Crossing of Old River. in Churchill County

Nevada Territory — The Report was accepted and the Bill ordered to a third Reading —

Message from the Council —

Council Chamber Feby 2d 1864

To the Hon the Speaker of the House of Representatives

Herewith transmit to your Hon Body Concurrent Resolution passed by the Council yesterday. I have the honor to be Very Respectfully Jas. Clark Secy Council —

Resolved.

By the Council the House of Representatives concurring — That the elevation of disloyal persons to positions of profit, honor, or trust, under the Federal or Territorial Government, and the granting of emoluments to persons of known hostility to the Federal Government, deserves, and should receive the condemnation of all loyal men. And that it is incompatible with the dignity, honor, and loyalty of the Legislative Assembly of this Territory to accord to persons of admitted disloyalty any of the benefits directly or indirectly of Special Legislation —

Mr Clagett moved the rules be suspended and the Resolution adopted — Carried —

Ayes and Noes on the adoption of the Resolution.

Aye. Mr Barclay. Brumfield. Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Love, Keaton, Kess, Hunter, Jones, McDonald, Nelson Phillips, Stewart, Tennant, Trask,

Ungar Mr Speaker — 23.
Nay. None.
The Speaker announced the Resolution unanimously passed —
The Clerk was ordered to transmit the Concurrent Resolution to the council with a message informing that Body of the action of the House —
The Speaker announced notice of the Introduction of Bills next in order —

Mr Stewart gives notice that he will, at some future day ask leave to introduce a Bill Entitled "An act for the Relief of D. F. Cushman — Sheriff of Ormsby County —
Mr Stewart gives notice that he will, at some future day ask leave to introduce a Bill entitled An act to amend an act entitled An act Relating to Marriages and divorce — Approved Nov 28th 1861 —

Mr Gillespie gives notice that he will, at some future day ask leave to introduce a Bill entitled An act to amend an act entitled
× An act relating to Wild game and fish — approved Nov 21st 1861 —
Mr Hess gives notice that he will, at some future day ask leave to introduce a bill entitled An Act to increase the Salary of the prosecuting attorney of Esmeralda County —
Mr Frank gives notice that he will, at some future day ask leave to introduce a Bill entitled An Act Creating the Dayton Gas Company —
Mr Tennant gives notice that he will, at an early day

ask leave to introduce a bill entitled An Act Requiring County Recorders of Mineral Counties in this Territory to give Bonds for the faithful performance of their duty.

Mr Partridge gives notice that he will at some future day ask leave to introduce a Bill Entitled An Act To Grant to Wm. F. Kingsbury and others the right to construct and maintain a Toll Road in Roop County.

Mr Curler gives notice that he will at some future day ask leave to introduce a Bill Entitled An Act for the relief of L. H. Moore Ex-Sheriff of Lyon and Churchill Counties

Mr Fisher gives notice that he will at some future day ask leave to introduce a Bill Entitled An Act Amendatory of Supplemental to an Act entitled An Act granting Moses Job Emanuel Penrod their heirs and assigns the right to construct and maintain a Toll Road from the Sink of Carson River to Reese River.

Mr Brumfield gives notice that he will at some future day ask leave to introduce a Bill Entitled "An Act to repeal an Act Entitled An Act Creating Boards of County Commissioners and defining their duties approved Nov 26th 1861, and for other purposes —

The Speaker announced Third Reading of Bills next in Order.

Third reading of Council

Bill No 38 Entitled An Act to create a county Building fund to build a Jail, Court House and County office for the County of Douglas Nevada Territory

The question was then taken on the final passage of the Bill.

Aye Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Tennant, Trask, Ungar — Mr Speaker. 22

Nay. None.

The Speaker announced the Bill duly passed. The Clerk was ordered to transmit the Bill to the Council with a message informing that Body of the action of the house —

Third reading of Council Bill No 12 An Act to attach Roop County to Washoe County for legislative purposes — The question was then taken on the final passage of the Bill.

Aye. Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Ungar, Mr Speaker. 23.

Nay. None.

The Speaker announced the Bill duly passed. The Clerk was ordered to transmit the Bill to the Council with a message informing that Body of the action of the house.

Third reading of Council Bill No 14 An Act to admit John B. Hereford as an Attorney and Counsellor at law in Nevada Territory.

The question was then taken on the final passage of the Bill -
Aye Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart. Tennant. Trask. Unger. Mr Speaker. 23 -
Nay. None.
The Speaker announced the Bill duly passed - The Clerk was ordered to transmit the Bill to the Council with a message informing that Body of the action of the house

Third reading of House Bill No 32 An act to legalize the election and official act of the several Probate Judges and Prosecuting Attorneys in the Territory of Nevada -
Laid on the Table until other wise ordered

Third reading of House Bill No 19. An act to authorize James A. St Clair and J. J. McCullen to keep and maintain a Toll Bridge at a point known as the upper sink Crossing of Old river in Churchill County - Nevada Ter -
The question was then taken on the final passage of the Bill -
Aye Mr Barclay. Brumfield. Calder. Curler. Dean. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter Jones. McDonald. Stewart. Tennant. Unger. 17.
Nay Mr Nelson Mr Speaker 2.
The Speaker announced the Bill duly passed - The Clerk was ordered to transmit the Bill to the Council for its concurrence.

Third Reading of House Bill No 57 An Act authorizing Ministerial officers to appoint Deputies—

The question was then taken on the final passage of the Bill.

Aye Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hewler. Jones. McDonald. Nelson. Stewart. Tennant. Trask. Unger. Mr Speaker. 22.

Nay. None.

The Speaker announced the Bill duly passed. The Clerk was ordered to transmit the Bill to the Council for its concurrence.

By unanimous consent Mr Barclay from the Committee on Federal Relations presented the following Report

Mr Speaker.

Your Committee on Federal Relations to whom was referred the additional Union Resolution adopted by the Council beg leave to report that they have considered said Resolution and recommend its adoption by the House

W.M. Clagett—
Thos Barclay
Robt Fisher—

Additional Resolution of the Council—

That among the Bright examples of Patriotism sprinkled like the stars of Heaven over the history of our Nations trials none shine with brighter luster than those of the noble men in the rebellious States who, born and reared amid the institutions of Slavery with their social and financial interest as closely interwoven in its existence as the warp and woof of human destiny, and—

with the waves of anarchy and rebellion threatening them with destruction have steadfastly adhered to the flag of their Fathers saying let slavery perish rather than our bright star should cease to light the path Freedom on one stripe to flaunt defiance to despotism and Tyranny and that on the other hand we recognize the lowest type of Treason to humanity and our country in that class of the north who basking in the sunshine of free institutions while the fires of discord and rebellion ("in imitation of the type of their party) are hissing destruction to the life and honor of a Nations existence have said let the nation perish rather than slavery suffer in the contest. And that while we consign the memory of one to its urn, in the hearts of a mighty people to be encircled with the halo of a nations glory and sung in the Paeans of a nations praise. the memory of the other like that of Benedict Arnold and the Cow Boys of the Revolution will be buried in infamy and disgrace.

Mr Gillespie moved the Resolution be adopted

Ayes and Noes

Aye — Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Jones, Mc Donald, Nelson, Phillips, Stewart, Tennant, Trask Wenger, — 21

Nay Mr Hunter Mr Speaker — 2

The Speaker announced the resolution adopted —

The Clerk was ordered to transmit it to the Council with a message informing that Body of the action of the House.

The Speaker said he voted No because he objected to the buncombe wording of the resolution = he endorses the sentiment — Mr Hunter ask leave to change his vote to the negative for the same reason — Leave granted —

Message from the Council

Council Chamber. Feby 2nd 1862

To the Hon the Speaker of
the House of Representatives

The Council has concurred in Concurrent Resolution from your Hon Body this day to meet in joint Convention on Wednesday next at 12 O. Clock to elect Commissioners to the Legislature of California.

Respectfully. J. G. Clark
Secy Council

The Speaker announced Introduction of Bills next in order —

Mr Stewart introduced a Bill Entitled an Act in relation to Contracts payable in Coin —

Read first and second time — Referred to the Committee on Judiciary

Mr Stewart introduced a Bill Entitled an act defining the Boundary line between Douglas and Ormsby Counties — Read first and second time, referred to the Douglas and Ormsby Delegations —

Mr Lemant introduced

a bill Entitled An Act to amend an act entitled an act authorizing the County Commissioners of the Several Counties to cause the County lines to be established. Approved Dec 19th 1862
Read first and second time —
Referred to the Committee on Counties and County Boundaries —

Mr McDonald Introduced a bill Entitled an act to legalize the assessment of Real and Personal property as made by the board of County Commissioners of Lyon and Churchill Counties for the year 1863.
Read first and second time —
On motion of Mr McDonald referred to the Committee of the Whole and ordered printed —

Mr Trask introduced a Bill Entitled An Act Authorizing certain parties to construct a Toll Road from Dayton to Palmyra — Read first and second time
On motion of Mr Trask referred to the Lyon Delegation —

Mr Clagett Introduced a bill Entitled an act for the encouragement of mining —
Read first and second time
On motion of Mr Gillespie committed to the Committee of the Whole and ordered printed —

Mr Brumfield Introduced a Bill Entitled an act to amend an act creating Boards of County Commissioners &c —
Read first and second time —

Referred to the Committee on Judiciary.

Mr Heaton Introduced a Bill entitled an act repealing an act to provide increased compensation to the Justices of the Supreme Court and other officers of the Territory of Nevada. Approved Dec 19th 1862

Read first and second time - On motion of Mr McDonald referred to the Committee on Judiciary.

Mr Gillespie Introduced a Bill Entitled an act to amend an act entitled an act relating to wild game and fish - Approved Nov 1861 - Read first and second time - On motion referred to Messrs Fisher, Hunter and Partridge -

Mr Stewart moved to take a recess till 6:30 P.M. Carried - House took a recess -

Evening Session

House Called to order at 6:30 P.M.

Upon the Roll being called the following were present:

Mr Barclay, Brumfield, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hunter, Jones, Nelson, Phillips, Stewart, Tennent, Trask Rongar, Partridge, Mr Speaker - 21 -

Absent Mr Calder, Gray, Hess, McDonald, Roqua. 5.

Reading of the Journal Orders of the day -

Mr Curler called up House Bill No 33 Entitled an act relating to prosecuting Attorneys -

Mr Dixon called up House Bill No 83 Entitled An Act in relation to Probate Judges and Prosecuting Attorneys of Lyon and Churchill Sander and Ormsby Counties—

Mr Barclay called up House Bill No 14. Entitled An Act to provide for the location of Coal Lands in Nevada Territory—

On leave Mr Heaton offered the following Resolution—

Resolved that the Clerk is hereby instructed to send a message to the Council requesting that Honorable Body to return Council Bill No an act granting certain parties the right to construct a Toll Road from the timber land east of Lake Tahoe to Virginia — together with reports—

House Int No 76.

Mr. Heaton —

The question was taken on the adoption of the Resolution Last Aye — 7 — Nay 12.

The House went into a Committee of the whole on Bills Nos 33—83 and 124—

Mr Fisher in the Chair—

Reports of the Committee of the whole—

Mr Fisher reported that the Committee of the whole have had under consideration the House Bill No 83 Entitled An Act in relation to Probate Judges and Prosecuting Attorneys of Lyon and Churchill Sander, Ormsby, Humboldt and Washoe Counties, have gone through them with and have directed their Chairman

to report the same back to the House and recommend that the same be made the special order for Friday next at 2 o'clock P.M. Report agreed to — The Bill was made the special order for Friday next at 2 o'clock. P.M.

Mr Fisher reported that the committee of the whole have had under consideration the House Bill No 33, entitled An Act Relating to County prosecuting Attorneys. have gone through therewith and have directed their Chairman to report the same back to the House and recommend its indefinite postponement — The Report was disagreed to — The Bill was recommitted to the Committee of the Whole —

Mr Fisher reported that the committee of the whole have had under consideration the House Bill No 14 Entitled An Act to provide for the location of Coal lands in Nevada Territory have gone through therewith and have directed their Chairman to report the same back to the House and recommend that it be laid on the Table —

The Report was agreed to and the Bill laid on the Table.

Mr Fisher moved to adjourn — Carried —
House adjourned —

Twenty Third Day.

Wednesday Febry 3d 1864

Pursuant to adjournment the House was called to order at 10 O. Clock A.M. Upon the Roll being called. the following were present

Mesrs Brumfield. Calder. Dean. Dixson. Elliott. Fisher. Gove. Heaton. Hess. Hunter. McDonald. Nelson. Phillips. Stewart. Trask. Ungar. Partridge. Mr Speaker. 18.

Absent Mr Barclay. Clagett. Curler Gillespie. Gray. Jones. Rigua. 7.

Excused Mr Tennant — 1—

Prayer By the Chaplain—

Minutes of the preceding day read and approved—

On leave Mr Phillips offered the following Concurrent Resolution—

Resolved.

By the House—

the Council concurring that the joint Convention appointed for this day at 12 O.Clock M. is hereby postponed until 3 O.Clock. P.M.

Mr Elliott moved the rules be suspended — Carried —

The question was then taken on the adoption of the Resolution Carried—

The Clerk was ordered to transmit the Resolution to the Council for its Concurrence—

Mr Dixson asked leave of absence for Mr Tennant for one day. Leave granted.

On leave Mr Elliott introduced a Bill Entitled "An Act to provide for the registration of qualified Electors and to secure the purity of Elections —

Read first and second time—

Referred to the Committee on Privileges and Elections

The Speaker announced Reports of Standing Committees next in order.

Mr Elliott from the Committee on Judiciary presented the following report.

Mr Elliott reported that the Committee on the Judiciary have had under consideration the House Bill No 93 entitled An Act in Relation to Contracts payable in Coin have directed their Chairman to report the same back to the House and Recommend its passage —

The Report was accepted, and the Bill Committed to the Committee of the Whole and ordered printed —

Mr Brumfield from the Committee on Judiciary presented the following report

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the House Bill Entitled "An Act repealing an act entitled an act to provide increased Compensation to the Justices of the Supreme Court and other officers have amended the same by substitute, have directed their Chairman to report the same back to the House and recommend its passage —

W. N. Brumfield — Chr —

The report was accepted and the substitute Bill committed to the Committee of the Whole and ordered printed —

Also

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the House Bill Entitled An Act to amend an act entitled an act Creating Boards of County Commissioners — have had the same under con-

sideration, have made some amendments thereto - have directed their Chairman to report the same back and recommend its passage - The report was accepted and the Bill Committed to the Committee of the Whole and ordered printed -

Message from the Council -
Council Chamber Feby 3rd 1864

To the Hon the Speaker of
the House of Representatives }

Herewith transmit Concurrent Resolution passed by the Council this day - Respectfully
P.S. Clark
Secy Council -

Resolved -
By the Council the assembly Concurring that the joint Convention of the two Houses for the election of Boundary Commissioners be postponed to the hour of 3 Oclock P.M. this day the Convention to be held in the assembly Chamber.

Mr Hunter moved that the House Concur - Mr McDonald moved to suspend the rules - Carried -

The question was then taken on the adoption of the Resolution

Aye Mr Barclay, Brumfield, Calder, Curler, Dixon, Elliott, Fisher, Grove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Trask, Wagar. 18.

Nay. None.

The Resolution unanimously passed -

The Clerk was instructed to transmit it to the Council with a message informing that Body of the action of the House.

Mr Phillips from the Gold Hill portion of the Story Delegation presented the following Report -

Your Special Committee Consisting of the Gold Hill portion of the Storey County Delegation to whom was referred a Bill entitled An Act to amend an act entitled to incorporate the town of Gold Hill have had the same under Consideration, have made some amendments thereto and would respectfully report the same back to the House and recommend its passage E.E. Phillips. John Nelson — Committee —

Mr Elliott moved the Bill be laid on the Table — Carried —

Bill ordered to lie on the Table —

Mr McDonald from the Special Committee composed of the Lyon Delegation presented the following report.

Mr McDonald reported that the Special Committee of the Lyon Delegation have had under Consideration the House Bill No 97, entitled An Act authorizing certain parties to construct and maintain a Toll Road from Dayton to Palmyra in Lyon County — have had the same under Consideration have directed their Chairman to report the same back with amendments "viz. Striking out all of Sec 4" as marked in the Bill" and recommend its passage as amended — The Report was accepted, and the Bill was committed to the Committee of the whole and ordered printed —

Mr Trask from the Select Committee of seven presented the following Report.

The undersigned members of the Special Committee to whom was referred the petition of Citizens of this Territory praying for the removal of the Toll gate known as the Devils Gate Co's Gate at the half way house in the

Ormsby and Lyon Co's bill - have had the same under consideration, and have examined the facts, from which they find that said Company are the owners of the road known as the McDonald Toll Road from Carson to said half way house where it intersects the Toll Road of said Company leading to Carson. The Company has no other Gate than the one complained of which serves for both Road, and that said Gate is an obstruction to a very short distance of the old Road. That to establish two Gates would be injurious to the public, expensive to the Company - while it would not avoid the toll or open any free road. Your Committee therefore respectfully Report back the petition and recommend that the prayer of the petition be not granted -

R. E. Crack. Jno McDonald Jr - W. H. - Brumfield. A B Elliott. Warren Keaton. Wm - M. Gillispie. — Committee -

Mr Elliott moved the report be accepted and the Bill Committed to the Committee of the Whole - Carried. and so referred -

On leave Mr Elliott offered the following Resolution - Resolved -

That Copyist employed by the Clerk of this House shall be paid in the manner prescribed by a resolution heretofore adopted by this House at the rate of Thirty Cents per folio for every one hundred words, instead of fifteen Cents as prescribed in said Resolution - The question was taken on the adoption of the Resolution. Carried - Mr McDonald moved the House take a recess until 2:50 P. M. -

House took a recess -

After noon Session –

House called to order at 2.30 P.M.

Upon the Roll being called the following were present –

Mesrs Barclay. Brumfield. Calder. Clagett. Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart. Tremont. Trask. Mr Speaker. 22.

Absent Mr Regua Patrick 2.

Mr McDonald moved a Call of the House – Carried –

A list was made of the absentees and placed in the hands of the Sergeant-at-Arms – Mr Heaton moved all further proceeding under the Call of the House be dispensed with. – Lost. Mr Gillespie and Mr Dean were admitted – Mr McDonald moved all further proceedings under the Call of the House be dispensed with – Carried –

Mr Gillespie moved the Clerk be instructed to inform the Council by message that the House is now Ready to go into joint Convention – Carried –

Council Chamber Feby 3rd 1864

To the Hon the Speaker of the House of Representatives

I am directed by the Council to inform your Hon Body that the Council is now ready to meet your Hon House in joint Convention

P.S. Clark,
Secy Council –

Members of the Council announced were admitted, and took seats on the floor of the House. The President of the Council in the Chair –

Roll Called – in joint Convention

Present – Mesrs Barclay. Brumfield.

Calder, Clagett, Cerler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, Mc Donald, Nelson, Phillips, Stewart, Trask, Wongar, Partridge, Mr Speaker. 23–

Excused Mr Rogers Tennant – 2,

The President announced there being a quorum of both Houses present. Nominations for Commissioners were now in order –

Mr Gillespie moved to vote viva voce — Carried —

Mr Heaton nominated John B. Winters of Lyon.

Mr Curry nominated J. M. Kinkead of Ormsby —

Mr Daggett nominated J. H. Mills of Gold Hill —

Mr Elliott nominated J. S. Sawson. —

Mr Barclay nominated Dr Degroot.

On the first Ballot Mr J. B. Winters received 23 Votes –

Mr Kinkead	"	1	"
" Mills	"	7	"
" Sawson	"	1	"
" Degroot	"	2	"

Mr John B. Winters having received a majority of all the votes cast was declared Elected –

Mr Gillespie moved the Election be declared unanimous — Carried –

On the second Ballot –

Mr Kinkead	received	28	Votes
" Sawson	"	1	"
" Degroot	"	4	"

Mr Waldron moved the election of Mr Kinkead be declared unanimous — Carried –

Mr Shirtevant moved the Convention now adjourn Sine Die – Carried

Mr Clagett moved the House now adjourn – Carried – House adjourned

Twenty fourth Day.

Thursday July 4th 1861

Pursuant to adjournment the House was called to order at 10 o'clock A.M. Upon the Roll being called the following were present—

Mrs. Brumfield, Calder, Curler, Dean, Dixon, Elliott, Gove, Hess, Hunter, Jones, McDonald, Nelson, Pugsley, Stewart, Tennant, Trask, Patridge, Mr Speaker. 18.

Absent Mr Barclay, Clagett, Fisher, Gillespie, Gray, Heaton, Phillips, Rudgar. 8.

Prayer by the Chaplain—

Minutes of the preceding day read and approved.

The Speaker announced Reports of Standing Committees next in order—

Mr Tennant from the Committee on Enrollment presented the following Report—

Mr Tennant reports that the Standing Committee on Enrollment have carefully compared the following entitled Bills with the enrolled Bills as passed by the two Houses, and found the same correctly enrolled "Viz"

An Act for the relief of Henry Peck Burnham Ex tax Collector of Taxes for Douglas County Nevada Territory—

An Act providing for the order in which Territorial and County Warrants shall be paid and the rate of interest they shall bear—

An Act to legalize the Election and official act of the several Probate Judges and Prosecuting Attorneys in the Territory of Nevada—

Thos J. Tennant
Chn—

The Report was accepted and the Chairman of the Committee ordered to transmit the Bills to the Governor for approval.

The Speaker announced Notice of the Introduction of Bills next in order—

Mr Nelson gives notice that he will, at some future day ask leave to introduce a Bill entitled an act to Incorporate the Gold Hill Hotel Company—

On leave Mr Stewart from the Committee on Privileges and Elections presented the following Report—

Mr Stewart reported that the Committee on Privileges and Elections have had under consideration the House Bill No 102 Intitled an Act to provide for the registration of qualified Electors and to secure the purity of Elections and have come to a favorable Conclusion thereon, and have directed their Chairman to report the same back to the House and recommend its passage.

The Report was accepted, and the Bill was committed to a Committee of the Whole and ordered printed—

The Speaker announced the Introduction of Bills next in Order—

Mr Munger introduced a Bill Entitled an Act to grant to J. Martin and others the right to Construct and maintain a Toll Road

Read first and second time, Referred to the Committee on Internal Improvements—

Mr Curler Introduced a Bill entitled an Act for the Relief of L. N. Moore Ex Sheriff of Lyon and Churchill Counties—

Read first and second time—

Referred to the Committee on Claims —

Mr Lemmon Introduced a Bill Entitled An Act Granting Moses P. Haynes and associates and assigns the Right to Construct and maintain a Toll Road from Clifton via Pizarro Alley. Read first and second time Referred to the Committee on Internal Improvements —

Mr Partridge Introduced a Bill Entitled An Act to grant to Wm T. Kingsbury and others the right to construct and maintain a Toll Road in Roop County —

Read first and second time — Referred to the Committee on Internal Improvements —

Mr Hess Introduced a bill Entitled An Act to increase the salary of the Prosecuting Attorney of Esmeralda County —

Read first and second time — Referred to the Esmeralda Delegation

Mr Irask Introduced a Bill Entitled An Act to create the Dayton Gas Company. Read first and second time — Referred to the Lyon and Churchill Delegation —

Mr Stewart Introduced a Bill Entitled An Act for the relief of D. J. Cashman — Read first and second time — Referred to the Committee on Claims —

Mr Stewart Introduced a Bill entitled an act to authorize Alexander Ash and his associates and assigns to construct and maintain a Toll Road —

Read first and second time Referred to the Committee on Internal Improvements —

Mr Stewart Introduced a Bill entitled An act to amend an act entitled An act relating to Marriages and divorce - approved Nov 28th 1861 -
Read first and second time -
Referred to the Committee on Judiciary.

Mr Fisher Introduced a bill Entitled An act Amendatory of and supplemental to an act Entitled an act granting Moses Job Emanuel Penrod their heirs and assigns the right to Construct and Maintain a Toll Road from the Sink of Carson River to Truckee River -
Read first and second time
Referred to the Committee on Internal Improvements -
On leave Mr Barclay without previous notice Introduced a Bill entitled An Act to grant M. W. George E. C. Estes, C. M. Connell, S. F. Yates and their associates the right to Construct a Toll Road in Lyon County -
Read first and second time -
Referred to the Committee on Internal Improvements and Lyon Delegation -

The Speaker announced Motions and Resolutions next in Order -
Mr Calder offered the following Resolution -
Resolved - That Messrs Cagle and Dean be added to Special Committee to whom was referred the Bill entitled An Act to authorize and require the County Commissioners of Esmeralda County to procure the transcript of certain Records -
Mr Tennant moved the adoption of the Resolution — Carried -

On leave Mr Stewart gives notice that he will, at some future day ask leave to introduce a Bill Entitled An Act to incorporate the Carson City Tunneling and Mining Company —

Reading of General Orders of the day —

Mr Brumfield called up House Bill No 2 an act for the relief of Mason and Huff —

Mr Fisher called up Council Bill No 29 An Act for the relief of John K. Sorejoy —

Mr Barclay called up Substitute for Council Bill No 21 An Act Amendatory of an act Entitled An Act establishing a Common School System for the Territory of Nevada Approved Nov 29" 1861. Approved Dec 26" 1862.

House went into a Committee of the Whole on Bill Nos 2-29 & 31 Mr Phillips in the Chair —

Report of the Committee —

Mr Phillips reported that the Committee of the Whole have had under Consideration the House Bill No 2 entitled An Act for the relief of Mason & Huff have gone through therewith have directed their Chairman to report the same back to the House and recommend its passage — The Report was agreed to, and the Bill ordered engrossed —

Mr Phillips reported that the Committee of the Whole have had under consideration the Council Bill No 29 Entitled An Act for the relief of John K. Sorejoy — have gone through therewith made no amendments, and have directed their Chairman to re-

port the Bill back to the House and recommend its passage — The Report was agreed to, and the Bill ordered to a third Reading —

Mr Phillips reported that the Committee of the Whole have had under Consideration the Council Bill No 21 entitled an act Annuatory of an act to amend an act entitled an act establishing a Common School System for the Territory of Nevada approved Nov 29th 1861 — approved Dec 24th 1862 — have directed their Chairman to report the same back to the House and ask leave to sit again — The report agreed to — and leave granted to sit again —

Reading of General Orders —

Mr Stewart called up House Bill No 35 — an act for the relief of Michael Kelley for Moneis paid out and services rendered in searching for Wm Mayfield an escaped Convict charged with the crime of Murder —

Mr Patridge called up House Bill No 42 an act for the relief of William Hill Nailigh — and John S. Ward —

Mr Gillespie called up House Bill No 64 an act Annuatory of and supplemental to an act entitled an act to authorize the Incorporation of the City of Virginia — Approved Dec 19th 1862 —

House went into a Committee of the Whole — Mr Gillespie in the chair — Reports of the Committee of the Whole —

Mr Gillespie reported that the Committee of the Whole have

had under Consideration the House Bill No 35, Entitled An Act for the Relief of Michael Kelley for Monies paid out and services rendered in seaching for Wm Mayfield an Escaped Convict Charged with the Crime of murder, have gone through therewith and have made no amendments thereto have directed their Chairman to report the same back to the House and recommend its passage —

The Report agreed to — and the Bill ordered Engrossed —

Mr Gillespie reported that the Committee of the whole have had under Consideration the House Bill No 72 entitled An Act for the Relief of Wm Hill Nailigh and John S. Ward — have gone through therewith have made some amendments thereto, have directed their Chairman to report back to the House and recommend its passage —

The Report was agreed to — and the Bill ordered Engrossed

Mr Gillespie reported that the Committee of the whole have had under Consideration House Bill No 62 entitled An Act Amendatory of and Supplemental to an Act Entitled An Act to authorize the incorporation of the City of Virginia Approved Dec 19th 1862, have not gone through therewith have directed their Chairman to report the same back to the House and ask leave to sit again —

The report was agreed to, and leave granted to sit again —

Message from the Council —

Council Chamber Feby 4th 1864

To the Hon the Speaker of
the House of Representatives

I have with
return to your Hon Body House Bill
No 1 "An Act to provide for the appoint-
ment of Notaries Public and defining
their duties — The same having passed
the Council unanimously with the fol-
lowing Amendments

Section 1st to be amend-
ed so as to read as follows — "Storey County
Eighteen — Ormsby County four, Lander
County Ten — Section 14 — In
place of the word "Ten" read "Sixty —"
Sec 18 to be amended with the
following — Provided That no Member
of the present Legislative Assembly
during the term for which he was
elected ~~of~~ for one year thereafter
shall be eligible to appointment to
the office of Notary Public under
this Act Respectfully P. G. Clark
Secy Council —

Mr Gillespie moved the
House concur in the Council
amendments —

Aye — Mr Brumfield, Calder,
Clagett, Elliott, Fisher, Gore, Heaton,
Hess, Jones, McDonald, Nelson, Pequa,
Stewart, Trask — 14 —

Nay Mr Barclay, Cutler, Dean,
Dixson, Gillespie, Hunter, Phillips,
~~Stewart~~, Ringer, Mr Speaker, 9 —

The Speaker announced
the Amendments Concurred in —
The Clerk was ordered to
transmit a message to the Coun-
cil informing that Body of
the action of the House —

Mr Heaton Moved the House take a recess until 2 O. Clock — Carried — House took a recess —

Afternoon Session —

House was called to order at 2 O. Clock P. M.

Upon the Roll being called the following were present —

Mr Calder. Clagett. Dean. Dixson. Elliott. Fisher. Gove. Heaton. Hess. Mc Donald. Nilson. Phillips. Requa. Sumaut. Trask. Ulugar. ~~Patridge~~. Mr Speaker. 17 —

Absent Mr Barclay. Brumfield. Curler. Gillespie. Gray. Hunter. Jones. Stewart. Patridge. 9.

On leave Mr Clagett Introduced a Bill Entitled an act to encourage the Construction of a Telegraph to Unionville and Star City —

Read first and second time —

Mr Dixson moved the rules be suspended and the Bill ordered Engrossed — Carried — The Bill was ordered engrossed

The Speaker announced the hour had arrived when the House should consider Special orders —

Mr Dixson moved the Special order be postponed until Monday next — Roll Called —

Aye — Mr Dixson. Mr Speaker — 2

Nay — Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. Mc Donald. Nelson. Phillips. Requa. Stewart. Sumaut. Trask. Ulugar. 22.

The Motion was Lost —

The House resolved into a Committee of the whole on House Bill No 8. An act creating the County of Nye — Mr Fisher in the Chair —

Mr Fisher reported that the Committee of the Whole have had under consideration the House Bill No 8 entitled An Act to create the County of Nye — have gone through therewith — have made some amendments thereto — have directed their Chairman to report the same back to the House and recommend its passage — The Report was agreed to. and the Bill ordered engrossed —

Message from the Council —

Council Chamber Jany 4th 1864

To the Hon the Speaker of the House of Representatives

Therewith transmit Council Bills Nos 9, 50, 56, & 69 — for the concurrence of your Hon Body, the same having passed the Council viz No 9 An Act to authorize Daniel Wellington and his associates and assigns to construct a Toll Road —

No 50 An Act amendatory of and supplemental to an act to incorporate the Washoe Agricultural Mining and Mechanical Society

No 56. An Act to authorize M. D. Harmon and associates and assigns to construct and maintain a Toll Road

No 69 An Act to issue Bonds and Coupons

Respectfully
J. G. Blark —
Secy Council —

Council Bill No 56 an act to authorize M. W. Harmon and associates and assigns to Construct and Maintain a Toll Road

Read first and second time — Referred to the Committee on Internal Improvements —

Council Bill No 57 an act amendatory of and supplemental to an act Entitled an Act to incorporate the Yuba agricultural Mining and Mechanical association

Read first and second time — Referred to the Committee on agriculture —

Council Bill No 9 an act to authorize Daniel Wellington his associates and assigns to construct a Toll Road — Read first and second time

Mr Stuart moved the rules be suspended and the Bill placed on its final passage — Lost

The Bill referred to the Committee on Internal Improvements —

Council Bill No 69 an act to issue Bonds and Coupons — Read first and second time —

Mr Yeaton moved to suspend the rules and the Bill be ~~placed on its final passage~~ committed to the Committee of the whole — Carried

~~The Bill was Committed to the Committee of the whole~~ —

Mr Gillespie from the Committee on Engrossment presented the following Report — Mr Gillespie reports that the Standing Committee on Engrossment have carefully compared the following Entitled "House Bill with the original as ordered Engrossed and found the same correctly Engrossed "Viz" An Act to encourage

the construction of a Telegraph line to Unionville and Star City —

Mr Clagett moved the rules be suspended and the Bill be placed on its final passage — Carried —

Third Reading of House Bill No 114 An Act to encourage the Construction of a Telegraph to Unionville and Star City —

The question was then taken on the final passage of the Bill —

Aye Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Elliott, Fisher, Gillespie, Love, Keaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Regua, Sennant, Tack, Nugar — Mr Speaker. 22.

Nay. None.

The Speaker declared the Bill duly passed —

The Clerk was ordered to transmit the Bill to the Council for its Concurrence.

On leave Mr Fisher from the Committee on Claims presented the following Report —

Mr Fisher reported that the Committee on Claims — have had under consideration the House Bill No 88 entitled An Act for the Relief of E. B. Nail — have come to a favorable Conclusion thereon, have directed their Chairman to report that fact to the House and recommend its passage

The Report was accepted, and — The Bill was committed to the Committee of the whole and ordered printed

On leave Mr Dean offered the following Resolution —

Resolved that this House hold Evening sessions commencing this Evening Feby 4th at 6:30 o'clock P. M. for the purpose of considering Franchises Exclusively until otherwise ordered.

Mr Elliott moved the Resolution be indefinitely postponed. Lost.

Mr Gillespie moved to amend by striking out the words "Franchises Exclusively" — Lost.

The question was then taken on the adoption of the Resolution. Lost.

Message from the Council.

Council Chamber Feby 4th 1864

To the Hon the Speaker of the House of Representatives

Sir herewith transmit Council Bills Nos 62 & 81.

No 62 An act to provide for the proof of the transfer on Conveyance of Mining claims prior to the 12th day of Dec 1862.

No 81 An act to amend an act entitled An act to create the County of Sander" approved Dec 19th 1862, and more particularly to define the boundaries thereof — the same having passed the Council this day.

Respectfully P. G. Clark
Secy Council.

Council Bill No 62 An act to provide for the proof of the transfer on Conveyance of Mining Claims prior to Dec 12th 1862.

Read first and second time. Referred to the Committee on Judiciary

Council Bill No 81 An act to create the County of Sander approved Dec 19th 1862 — and more par-

ticularly to define the boundaries thereof
Read first and second time —
On motion referred to the Committee on Counties and County Boundaries, and the Lyon and Churchill Humboldt and Sander Delegation —
On leave Mr Fisher offered the following Resolution —
Resolved that the Chief Clerk of this House be and is hereby authorized to put all Bills of a private character on a special file, and be it further resolved that Saturdays and Mondays of each week be set apart for their consideration — Mr Clagett moved the Resolution be adopted —
Mr McDonald moved to amend by adding "and Mondays" —
Mr Stewart offered the following Substitute
Resolved that this House hold evening sessions every other evening commencing on the 4th inst at 6:30 P.M. for the purpose of considering franchises —
The question was then taken on the adoption of the substitute
Lost — The question was then taken on the adoption of the Resolution
Lost —
Mr Phillips offered the following Resolution —
Resolved that no Council Bill granting franchises shall be considered in this House in Committee of the whole until each member is furnished with a printed copy of the same —

The question was then taken on the adoption of the Resolution, adopted

On leave Mr Track gives notice that he will, at some future day ask leave to introduce a Bill Entitled An Act To provide for supplying the town of Dayton with water and to protect the same against fire —

Mr Stewart offered the following Resolution —

Resolved that this House hold evening sessions commencing Feby 4th 1864 at 6:30 P.M. and that every other evening be for the consideration of Franchises —

The question was then taken on its adoption — Lost

Mr Nelson moved to take House Bill No 85 Entitled an act to amend an act Entitled an act to incorporate the town of Gold Hill approved Dec 14th 1862 from the Table — Carried —

Mr Nelson moved the rules be suspended and the Bill ordered engrossed for third reading — Carried

Mr Fisher moved to adjourn Carried

House Adjourned —

Twenty Fifth Day.

Friday Feby 5th 1864.

Pursuant to adjournment the House was called to order at 10 O. Clock A.M.

Upon the Roll being called the following were present—

Mess'rs Brumfield. Calder. Cutler. Dean. Dixon. Elliott. Fisher. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Rogers. Stewart. Tennant. Trask. Wangar. Partridge. Mr Speaker. 22.

Absent Messrs Barclay. Gilles Jun. Clagett. Gray. 4.

Prayer by the Chaplain

Minutes of the preceeding day read and approved.

The Speaker announced the Notice of the Introduction of Bills Next in order—

Mr Wangar gives notice that he will, at some future day ask leave to introduce a bill entitled An Act To authorize A. C. Sutton and James Brannan and their associates to Construct a Toll Road

On leave Mr Calder presented the following report from the Committee on Internal Improvements—

Mr Calder reported that the Committee on Internal Improvements have had under Consideration the House Bill No 112 entitled an act Amendatory of and supplementary to an act granting Moses Job Emanuel Penrod the right to construct a Toll Road—

have directed their Chairman

to report the Bill to the House and recommend its passage —
The report was accepted —
Mr Fisher moved the rules be suspended and the Bill ordered engrossed — Carried —
The Bill was ordered engrossed
Also
Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 110 — Entitled an Act authorizing Alex Ash to construct and maintain a Toll Road, have made some amendments thereto, and have directed their Chairman to report the Bill to the House and recommend its passage —
The Report was accepted —
The Bill was committed to a Committee of the whole and ordered printed at the expense of the parties asking the franchise —
Also.
Mr Calder reported that the Committee on Internal Improvements have had under consideration the Council Bill No 9 entitled an Act to authorize Daniel Wellington to construct a Toll Road — have directed their Chairman to report the Bill to the House and recommend its passage.
The Report was accepted —
Mr Stewart moved the rules be suspended and the Bill placed on its final passage — Lost —
The Bill was committed to a Committee of the whole —

The Speaker announced third reading of Bills next in order —

Third reading of Council Bill No 30 – A Bill for the Relief of John K. Sorejoy. The question was then taken on the final passage of the Bill –

Ayes Mesrs Brumfield, Calder, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Grove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Rezua, Stewart, Tennant, Trask, Wingar, Mr Speaker, 22,

Nay. None.

The Speaker announced the Bill duly passed – The Clerk was ordered to transmit the Bill to the Council with a message informing that Body of the action of the House.

Third Reading of Council Bill No 30 An Act to amend an act entitled an act to incorporate the town of Gold Hill approved Dec 17th 1862 – The question was then taken on the final passage of the Bill.

Ayes, Mesrs Barclay, Brumfield, Calder, Dean, Dixson, Elliott, Fisher, Gillespie, Grove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Rezua, Stewart, Tennant, Trask, Wingar, Mr Speaker. 22

Nay. None.

The Speaker declared the Bill duly passed – The Clerk was ordered to transmit the Bill to the Council with a message informing that Body of the action of the House –

Mr Gillespie from the Committee on Engrossment presented the following report –

Mr Gillespie reports that the

Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original as ordered engrossed, and found the same correctly engrossed "viz"

An Act for the relief of Michael Kelley Constable for Carson City Township Ormsby Co Nevada Territory

Also, An Act for the relief of Hiram Knowles —

Also, An Act for the relief of Mason and Huff

Also, An Act for the relief of Wm Hill Nailigh and John S. Ward —

The Report was accepted —

The Bills ordered to a third reading —

House Bill No 38 An Act for the relief of Hiram Knowles

Ordered to lie on the Table —

Third reading of House Bill No 72 An Act for the relief of Wm Hill Nailigh and John S. Ward —

The question was then taken on the final passage of the Bill

Aye Mr Barclay, Brumfield, Calder, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Mason, Moss, Hunter, Jones, McDonald, Nelson, Phillips, Rigua, Stewart, Tunnant, Trask, Wongan, 22.

Nay. None.

The Speaker declared the Bill duly passed — The Clerk was ordered to transmit the Bill to the Council for its Concurrence —

Third Reading of House Bill No 2 An Act for the relief of Mason & Huff.

The question was then taken on the final passage of the Bill –

Aye Mr Barclay. Brumfield. Calder. Carter. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Requa. Stewart. Tennant. Trask. Wenger, Mr Speaker. 23 –

Nay. None.

The Speaker declared the Bill duly passed – The Clerk was ordered to transmit the Bill to the Council for its concurrence –

Third reading of House Bill No 35 An Act for the relief of Michael Kelley Constable of Ormsby County Nevada Territory –

The question was then taken on the final passage of the Bill –

Aye Mr Barclay. Brumfield. Calder. Carter. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Requa. Stewart. Tennant. Trask. Mr Speaker. 22 –

Nay. None.

The Speaker declared the Bill duly passed – The Clerk was ordered to transmit the Bill to the Council for its concurrence

The Speaker announced Introduction of Bills next in order

On leave without previous notice Mr Elliott Introduced a Bill Entitled An Act Amendatory of an Act Entitled An Act extending the Jurisdiction of the Probate Courts of the Territory of Nevada

Read first and Second time.
Mr Elliott moved the rules be suspended and the Bill ordered engrossed. Carried —
The Bill was ordered Engrossed —

Mr Tennant Introduced a Bill entitled An Act to provide for the funding of the outstanding indebtedness of Sander County. Read first and second time
Referred to the Sander Delegation —

Mr Trask Introduced a Bill entitled An Act to provide for the supplying the town of Dayton with water and to protect the town against fires —
Read first and second time —
Referred to the Lyon and Churchill Delegation.

Mr Tennant Introduced a Bill Entitled An Act to incorporate the City of Austin in Sander County.
Read first and second time —
Referred to the Sander Delegation —

Mr Ungar introduced a bill Entitled An Act to authorize A.B. Satson and James Brannan their associates and assigns to construct a Toll Road — Read first and second time.
Referred to the Committee on Internal Improvements —

Mr Curler moved the Lyon Delegation be added to the Committee Lost. Mr. Elliott moved the Storey Delegation be added — Lost.

On leave Mr Barclay presented the following report —
Mr Speaker — The Committee on Counties and County Boundaries have had under consideration House Bill Entitled An Act to amend an act authorizing the County Commissioners

of the several counties to cause the County lines to be established, have made no amendments thereto and recommend its passage—

Thomas Barclay Chm.

The Report was accepted and the Bill was committed to the Committee of the whole and ordered printed—

Mr Stewart moved to take up Council Bill, amending the general School law — Lost—

On leave — Mr Clagett offered the following resolution

Resolved that the Adjutant General of the Territory be requested to furnish to the House such information as may not be inconsistant with the public interest as will show

1st The number and character of the arms and equipments liable to distribution among the various companies of the organized Militia of this Territory and where the same are stored—

2nd The names of the Companies of organized Militia of this Territory that have not been supplied with arms and equipments if any. and if so the reasons why they have not been so supplied — Mr Tennant moved the adoption of the Resolutions

Carried —

Unfinished business of General Orders.

House Bill No 46. An Act amendatory of an act to amend an act entitled An Act establishing a Common School system in the Territory of Nevada — Approved Nov 29th 1861 — Approved Dec 20th 1862.

House Bill No 64 An Act amendatory of and supplemental to

an act to authorize the incorporation of the City of Virginia - approved Dec 19" 1862
House went into a Committee of the whole on Bills 46 & 64
Mr Love in the Chair -
Reports of the Committee.
Mr Love reported that the Committee of the whole have had under consideration the House Bill No 46, Entitled an Act Amendatory of an act to amend an act Entitled An act establishing a Common school system in the Territory of Nevada approved Nov 29" 1861. Approved Dec 20" 1862 have gone through therewith and have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage. The report was agreed to, and the Bill ordered Engrossed -
Mr Love reported that the Committee of the whole have had under consideration the House Bill No 64 entitled "An Act amendatory of and supplemental to an act to authorize the incorporation of the City of Virginia approved Dec 19" 1862, have made some progress and have directed their Chairman to report the same to the House and ask leave to sit again -
The report was agreed to and leave granted to sit again.
Mr Fisher moved the House take a recess until 2 O. Clock. Carried -
House took a recess.

Afternoon Session.

The House was called to order at 2 O. Clock P. M.
Upon the Roll being called the following were present -
Messrs Brumfield. Calder,

Clagett. Dean. Curlis. Dixon. Elliott.
Fisher. Gillespie. Grove. Heaton. Hess.
Hunter. Jones. McDonald. Nelson. Phillips.
Reynolds. Stewart. Tennant. Trask.
Mr Speaker.

22

Absent Mr Barclay. Gray.
Hagar. Partridge.

4

Mr Fisher moved a Call of the House - Carried -
A list was made of the absentees -
Mr Stewart moved a Committee of two be appointed to bring in the Sergeant-at-arms he being absent - Carried - Mr Fisher moved all further proceedings under the Call be dispensed with - Carried -

Message from the Council -

Council Chamber Feby 5th 1864

To the Hon the Speaker of
the House of Representatives

I herewith return to your Hon Body House Bills Nos 15, 28 & 34 - the same having passed the Council this day without amendments

Also I herewith return House Bill No 11 An Act to amend An Act entitled an act to regulate proceedings in Criminal Cases in Courts of Justice Approved Nov 26th 1861 the same having been indefinitely postponed by the Council

Respectfully P. S. Clark -
Secy Council -

The Bills accompanying the message were ordered enrolled for transmission to the Governor

Message from the Council -

Council Chamber Feby 5th 1864

To the Hon the Speaker of
the House of Representatives

Herewith transmit
to your Hon Body for approval Council Bills
Nos 68. 89. & 94

No 68 An act for the regulation of the
Telegraph and to secure fidelity and secrecy
in the transmission of Telegraphic Messages

No 89 An act to change the name
of the Town of Jacobsville in Sanders Co
to Fountain City

No 94 An act Entitled An act Entitled
An act to Incorporate the Town of Gold
Hill. Approved Dec 17th 1862

The said Council Bills Nos
68. 89. & 94 having been considered Engrossed
and passed by the Council this day.

Respectfully - P. G. Clark -
Secy Council -

Mr Gillespie moved the Council
Bills be returned - Carried -

The Clerk was ordered to re-
turn the Bills with a message informing
that body of the resolution adopted by
this House -

On leave Mr Stewart from the Com-
mittee on Engrossment presented the
following report -

Mr Stewart reported that
the Committee on Engrossment have had
under consideration the House Bills
entitled An act for the relief of L. B.
Bail. — Also An act to create the Co. of
Nye, and have found the same correctly
Engrossed, and have directed their Chair-
man to report the same back to the House
and recommend their passage -

The report was accepted -

The Bills were ordered to a third reading.

The Speaker announced that the hour had
arrived when the house should consider Special Orders -

The House went into a committee of the whole on House Bill No 83 "An act in relation to Probate Judges and Prosecuting Attorneys of Lyon and Churchill Lander and Ormsby Counties –

Mr Gillespie in the Chair –

Report of the Committee –

Mr Gillespie reported that the Committee of the Whole have had under consideration the House Bill 83 Bill entitled "An Act in relation to Probate Judges and Prosecuting Attorneys of Lyon and Churchill Lander & Ormsby Counties have gone through therewith, have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage –

The Report was agreed to, and the Bill ordered Engrossed –

Mr Gillespie moved the Bill reported by the Committee on Engrossment be passed to a third reading forthwith – Carried –

Third reading of House Bill No 88. An Act for the relief of E B. Nail –

The question was then taken on the final passage of the Bill –

Aye Mr Barclay, Brumfield, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Regua, Stewart, Tennant, Track, Ringar, Mr Speaker. 23 –

The Speaker announced the Bill duly passed

The Clerk was ordered to transmit the Bill to the Council for its concurrence

Third Reading of House Bill No 8. An Act to create the County of Nye –

Mr Dixson moved the Bill be laid on the Table — Lost —

Mr Elliott moved the Bill be recommitted to the Committee of the Whole Lost.

The question was then taken on the final passage of the Bill —

Aye. Mr Barclay. Brumfield Blagett. Curler. Dean. Elliott. Gillespie. Gove. Heaton. Hess. Hunter. Jones. Mc Donald. Phillips. Rogers. Stewart. Ungar. Mr Speaker. Tennant 19 —

Nay Mr Dixson. Fisher. Nelson, Trask. 4 —

The Speaker announced the Bill duly passed The Clerk was ordered to transmit the Bill to the Council for its Concurrence

On leave Mr Fisher offered the following Resolution —

Resolved That this House do now hold Evening Sessions Commencing this Friday evening Feby 5th 1864 for the express purpose of considering Private Franchises and private claims and shall continue to hold such sessions until all private Bills are disposed of unless otherwise ordered.

Mr Heaton moved its adoption —

Aye. Mr Barclay. Brumfield Curler. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. Stewart. Tennant. Trask. Ungar. 17.

Nay. Mr Blagett. McDonald. Nelson. Phillips. Mr Speaker. 5 —

A two-third vote being required — The Speaker declared the Resolution adopted —

On leave Mr Blagett offered the following Resolution —

Resolved That it is no infringement upon the dignity of this House to —

permit its members to smoke during its sessions —

Mr Fisher moved the Resolution be tabled — Lost — Mr. Gillespie moved it be referred to the Committee on Claims Lost

Mr Brumfield moved to adjourn. Lost

The question was then taken on the adoption of the Resolution — Lost —

On leave Mr Hunter from the Special Committee, made a report —

Mr Fisher moved the report be laid on the table — Carried —

Mr Heaton moved to adjourn Carried. House adjourned —

— Evening Session —

The House was called to order at 6: 30 P.M.

Upon the roll being called the following were present —

Mr Barclay, Calder — Cutler, Dean, Elliott, Fisher, Gillespie, Gove, Hess, Jones, Nelson, Phillips, Stewart, Tennant, Trask, Partridge, Mr Speaker, 17

Absent Mr Brumfield, Colagett, Dixon, Heaton, Hunter, McDonald, Pugsley, Ungar. 8.

On leave Mr Fisher Introduced a bill entitled An Act to audit the Claim of Thomas C. Rye and to provide for the payment of the same —

Read first and second time — Referred to the Committee on Claims —

On leave Mr Gove from the Special Committee presented the following report

Mr Gove reported that the Special Committee to whom was referred the charges of disloyalty made against

R. M. Wilson Recorder of Mono County California report the charges unsustained The only proof produced to sustain such charges was a statement from several citizens of Aurora "not sworn to" that the said Wilson was a democrat – Numerous affidavits were laid before us stating positively that the said Wilson ever has been and is a loyal Citizen of the United States in favor of the rigorous prosecution of the war and a good union man also that he was elected to his present office by union men and on the Union Ticket –

We therefore declare that R. M Wilson is freed from all suspicion of disloyalty

Your Committee further find that the Gentleman from Esmeralda Mr Hess. in making the statement on the floor of this house that Mr Wilson was not a loyal Man, made such statement under a misapprehension of the facts –

And upon statements to that effect made by parties to him which he was bound to accept as true until explained away or contradicted by reliable testimony

H. Gore – Chairman

The question was then taken on the adoption of the Resolution – Carried –

Mr Fisher moved that Council Bill No 30 be ordered to a third reading – Carried –

Mr Gillespie from the Committee on Engrossment presented the following report

Mr Gillespie reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original as ordered engrossed, and found

the same correctly engrossed — Viz:"
An Act Amendatory of an act
Entitled An Act extending the juris-
diction of the Probate Courts of this
Territory —
Also, "An Act Amendatory of and
supplemental to an act Entitled An
Act granting Moses Job Emanuel
Penrod their heirs and assigns
the right to construct and main-
tain a Toll Road from the sink of
Carson River to Truckee River —
The Report was accepted —
The Bills were ordered to a third
reading —
Third reading of Council
Bill No 30 An Act to authorize
the County Commissioners of Esmer-
alda County to procure the transfer
of Certain Records —
The question was then taken
on the final passage of the Bill —
Aye — Mr Barclay. Brumfield.
Calder. Clagett. Curler. Keen. Elliott.
Fisher. Gove. Hunter. Jones. Mc Donald.
Stewart. Tennant. Mr Speaker. 15 —
Nay Mr Hess. Nelson. Phillips. Track 4

The Speaker declared the Bill duly
passed — The Clerk was ordered
to transmit the Bill to the Council
with a message informing that
body of the action of the House —

Third Reading of House
Bill No 121. An Act Amendatory of
an act Entitled an act extending
the Jurisdiction of the Probate Courts
of the Territory —
The question was then taken on
the final passage of the Bill —

Aye Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Elliott. Fisher. Gove. Hess. Hunter Jones. McDonald. Nilson. Phillips. Stewart. Tennant. Trask. Mr Speaker. 19.

Nays. None.

The Speaker declared the Bill duly passed

The Clerk was ordered to transmit the Bill to the Council for its Concurrence.

Third Reading of House Bill No 112 An Act amendatory of and supplemental to an act Entitled An act granting Moses Job Emanuel Ferrod-Muir heirs and assigns the right to construct and maintain a Toll Road from the sink of Carson River to Reese River. The question was then taken on the final passage of the bill—

Aye. Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Elliot. Fisher. Gove. Heaton. Hess. Hunter. Jones. Stewart. Tennant. Trask — 16.

Nay. Mr Nilson. Phillips. Mr Speaker. 3.

The Speaker declared the Bill duly passed

The Clerk was ordered to transmit the Bill to the Council for its Concurrence—

Message from the Council—

Council Chamber July 5th 1862

To the Hon the Speaker of
the House of Representatives

Herewith transmit Council Bill No 55 An act to authorize Certain parties to improve Carson River for certain purposes herein mentioned—

Said Bill having passed the Council this day and herewith sent for the approval of your Hon Body

Resp—

P.L. Clark
Secy Council

Council Bill No 55.
Read first and second time -
Referred to the Committee
on Internal Improvements -
Reading of General Orders -
Mr Gillespie called up
House Bill No 14 An Act to amend an
Act Entitled an Act to grant the right
to construct a Toll Road from Virginia
City to Truckee Meadows and Steam-
boat Valley in Storey and Washoe
Counties - approved Nov 29th 1861 -

Mr Dean called up House
Bill No 44 An Act to authorize
Thomas Rissin his associates and assigns
to keep and maintain a Toll Road

Mr Barclay called up House
Bill No 63 An Act to incorporate the
Virginia City and Dayton Rail road -
Mr Gillespie moved to
postpone House Bill No 63. - Lost -

House went into a Committee of the
whole on Bills Nos 14 - 44 - 63 -
Mr Fisher in the Chair -
Report of the Committee -
Mr Fisher reported
that the Committee of the whole have had
under Consideration the House Bill
No 14 entitled An Act to amend an
Act Entitled An Act to grant the
right to construct a Toll Road
from Virginia City to Truckee Meadows
and Steamboat Valley in Storey and
Washoe Counties Approved Nov. 29th 1861 -
have gone through therewith, have
added a section thereto and have
directed their Chairman to report the
Bill Back to the House and recommend
its passage. The Report was agreed to -

The Bill was ordered engrossed –

Mr Fisher reported that the Committee of the Whole have had under consideration the House Bill No 44 Entitled. An Act to authorize Thomas Risse his associates and assigns to keep and maintain a Toll Road – have gone through therewith, have added a new section thereto, and have directed their Chairman to report the same back to the House and recommend its passage

The Report was agreed to, and the Bill ordered Engrossed –

Mr Fisher reported that the Committee of the whole have had under consideration the House Bill No 63 Entitled An Act to incorporate the Virginia City and Dayton Railroad Company. have not gone through therewith and have directed their Chairman to report the same back to the House and ask leave to sit again –

The report was accepted, and leave granted to sit again –

On leave Mr Blagett Introduced a Bill Entitled An Act amendatory of and supplementary to An Act Entitled An Act to provide for the formation of Corporations for certain purposes – Approved Dec 20 1862 –

Mr Blagett moved to suspend the rules The bill be committed to a Committee of the Whole and ordered printed – Carried – Committed to the Committee of the Whole and ordered printed –

Mr Stewart moved to adjourn Carried – House adjourned –

Twenty Sixth Day —
Saturday July 6th 1864.

House met pursuant to adjournment at 10 o'clock A. M.

Upon the Roll being called the following were present.

Mr Barclay. Calder. Clagett. Curler. Elliott. Fisher. Gove. Heaton. Jones. Nelson. Phillips. Stewart. Tennant Trask. Patridge. Mr Speaker — 16.

Absent Mr Brumfield. Dean. Dixson. Gillespie. Gray. Hess. Hunter McDonald. Requa. Sinnar — 10.

Prayer by the Chaplain —

Minutes of the preceding day read and approved

Mr Fisher asked leave of absence for Mr Dean for one day. Leave granted —

Mr Heaton asked leave of absence for Mr McDonald for one day Leave granted —

Mr Nelson asked leave of absence for Mr Requa for one day Leave granted —

The Speaker announced presentation of Petitions next in order.

Mr Trask presented a petition from the Tax Payers of Churchill County — Praying that the County be left attached to Lyon County for Judicial and Legislative purposes Signed by twenty seven names —

Mr Curler moved the Petition be laid on the Table —

Mr Heaton moved the Petition be referred to the Committee of the Whole — Carried — So Referred —

The Speaker announced Reports of Standing Committees next in Order —

Mr Tennant from the Committee on Enrollment presented the following Report.

Mr Speaker.

Your Committee on Enrollment have delivered to his Excellency the Governor the following entitled House Bills for his Approval — July 5th 1864 — "viz"

An Act to legalize the election and official acts of the several Probate Judges and Prosecuting Attorneys in the Territory of Nevada " No 2 —

An Act for the relief of Henry Peck Burnham — No 21 —

An Act providing for the order in which Territorial and County Warrants shall be paid and the rate of Interest they shall bear — No 4 —

Respectfully

T. J. Tennant —

Mr Fisher from the Committee on Claims presented the following report.

Mr Fisher reported that the Committee on Claims, have had under consideration the House Bill No 126, entitled "An Act To audit the Claim of Thos C. Nye and to provide for the payment of the same have come to a favorable Conclusion thereon and have directed their Chair

man to report that fact to the House and recommend its passage—

Mr Fisher moved the rules be suspended and Bill ordered Engrossed — Carried. and so ordered—

Mr Calder from the Committee on Internal Improvements presented the following Report—

"Mr Calder reported that the Committee on Internal Improvements have had under Consideration the "House Bill No 106. entitled An Act to Grant to Wm T. Kingsbury and others the right to construct a Toll Road in Roop County. have directed their Chairman to report favorable and recommend the passage of the Bill—

The Report was accepted—

The Bill was committed to the Committee of the whole and ordered printed at the expense of the parties asking the franchise!—

Mr Calder reported that the Committee on Internal Improvements have had under consideration House Bill No 92 Entitled An Act Authorizing E. Dexter. L. N. Dexter and J. M. Baldwin to Construct and maintain a Toll Road in Esmeralda County have made some amendments thereto, and have directed their Chairman to report the Bill back to the House and recommend its passage—

Mr Calder moved the rules be suspended — printing dispensed with and the Bill Committed to the Committee of the whole Carried—

The Bill was committed to the Committee of the Whole —

Also

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 89 Entitled An Act to authorize T. M. Suther and associates to construct a Toll Road in Lander County — have directed their Chairman to report the Bill back to the House and recommend its passage —

The Report was accepted.

The Bill was committed to the Committee of the Whole and ordered printed at the expense of the Grantees —

The Speaker announced Reports of Select Committees next in Order —

Mr Tunnant from the Select Committee composed of the Lander — Delegation presented the following report

Mr Speaker —

The Lander Delegation to whom was referred the Bill entitled An Act to provide for funding the outstanding indebtedness of Lander County have had the same under consideration and recommend its passage —

Thos. J. Tunnant —

The Report was accepted —

The Bill was committed to the Committee of the Whole and ordered printed —

Mr Speaker — The Lander Delegation to whom was referred the Bill entitled "An Act to incorporate the City of Austin have had the same under consideration made no amendments and recommend its passage —

T. J. T. Chm

The report was accepted.
The Bill was Committed to a Committee of the Whole and ordered printed—

Mr Patridge from Select Committee presented the following report
Mr Speaker.
Mr Patridge reports that the Committee on wild game and fish, have had under consideration the House Bill Entitled An Act to amend an act relating to wild game and fish. have carefully considered the same and have directed their Chairman to report the same back to the House and recommend its passage—
Robt Fisher—
J. C. Patridge—

Mr Phillips moved all except the first part of the report be stricken out and the Bill be committed to the Committee of the Whole and ordered printed Carried
The Bill was Committed to the Committee of the Whole and ordered printed

The Speaker announced the Notice of Introduction of Bills next in order—

Mr Clagett gives notice that he will, at some future day ask leave to introduce a Bill Entitled An Act for the establishment and support of a Polytechnic College in the Territory of Nevada—

The Speaker announced Introduction of Bills next in Order.
Mr Tennant Introduced a Bill Entitled An Act requiring County

Recorders to give Bonds – Read first and second time – Referred to the Committee on Judiciary.

The Speaker announced the unfinished Business of Second Orders – Next in order –

On leave Mr Clagett Introduced a bill Entitled An Act for the establishment of a Polytechnic College in the Territory of Nevada

Read first and second time and referred to the Committee on Mining affairs

House Bill No 64 An Act Amendatory of and Supplemental to an Act Entitled an act to authorize the incorporation of the City of Virginia approved Dec 19th 1862.

Council Bill No 64 An Act to amend an Act Entitled an Act Establishing a Common School System in the Territory of Nevada Approved Nov 29th 1861 –

House Bill No 27. An Act Supplemental to and Amendatory of an Act Entitled an Act to establish a Seminary of Learning in Carson City – Approved Nov 21st 1861 –

The House went into a Committee of the Whole on House Bills Nos 64 & 27 and Council Bill No 64 –

Mr Gillespie in the Chair –

Report of the Committee –

Mr Gillespie reported that the Committee of the Whole have had under consideration the House Bill No 64 – entitled An Act Amendatory of and Supplemental to an act entitled An Act to authorize the incorporation of the City of Virginia. Approved Dec 19th 1862

have made some progress therein but not having gone through therewith have directed their Chairman to report that fact to the House and ask leave to sit again.

The report was agreed to, and leave granted to sit again.

Also

Mr Gillespie reported that the Committee of the Whole have had under consideration the Council Bill No 84 entitled An Act to amend an act entitled An Act establishing a Common School system for the Territory of Nevada approved Nov 29" 1861.

have made some progress therein but not having gone through therewith have directed their Chairman to report that fact to the House and ask leave to sit again.

With the recommendation that it be printed and made special order for Tuesday next at 2 O'clock P.M. The Report was agreed to and the Bill made a special order for Tuesday next at 2 O.Clock P.M.

Also

Mr Gillespie reported that the Committee of the whole have had under consideration the House Bill No 27 entitled An Act Supplemental to and Amendatory of an act Entitled An Act to establish a Seminary of Learning in Carson City. Approved Nov 21/86

have made some progress, and have directed their Chairman to report the same to the House and recommend it be made the special order for Tuesday next at 2 O.clock P.M. The Report was agreed to, and the Bill made the

special order for Tuesday at 2 O. Clock P.M.

On leave Mr Fisher gives notice that he will at some future day move to strike out in Chapter 8 Sec 26 "2nd line of the rules of order of the House – all after the word order in the first line of said section –

Mr Stewart moved the Bill introduced by Mr Blagett in relation to Establishing a Polytechnic College be made a Special order for Tuesday next at 2 O. Clock P.M. Carried –

The Bill was committed to the × Committee of the Whole and made a Special order for 2 O'clock P.M and ordered printed –

Mr Gillespie from the Committee on Engrossed Bills presented the following Report –

Mr Gillespie reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bill with the original as ordered engrossed and found the same correctly engrossed "Viz"

An Act in relation to Probate Judges in certain Counties of the Territory –

Mr Dixon moved the Rules be suspended and the Bill placed on its final passage Carried –

Third reading of House Bill No 83 An Act in relation to Probate Judges in certain Counties of the Territory

The question was then taken on the final passage of the Bill –

Ayes Mr Barclay, Clagett, Curler, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Stewart, Tennant, Mr Speaker. 12

Nays Mr Brumfield, Calder, Hunter, Jones, Nelson, Phillips, Trask, Ungar. 8.

The Speaker declared the Bill duly passed.

The Clerk was ordered to transmit the Bill to the Council for its concurrence.

Mr Barclay moved the House adjourn until Monday at 10 o'clock — Lost

Mr Calder moved the House take a recess until 2 o'clock — Lost

Mr Ungar moved the House now adjourn until Monday at 10 o'clock — Carried

House adjourned at 12:35 P.M.

Twenty Eighth Day

Monday Feby 8th 1864

House met pursuant to adjournment at 10 o'clock A.M.

Upon the Roll being called the following members were present

Mr Brumfield, Calder, Clagett, Dixson, Elliott, Gove, Hess, Hunter, Jones, McDonald, Stewart, Tennant, Trask, Tabridge, Mr Speaker. 15

Absent.

Mr Barclay, Curler, Dean, Fisher, Gillespie, Heaton, Nelson, Phillips, Regua, Ungar, 10

Mr Clagett moved a call of the House Carried — A list was made of the absentees and placed in the hands of the Sergeant-at-arms —

Prayer by the Chaplain —

Journal of Saturday read and approved

Mr McDonald was admitted and excused.

The Speaker announced Reports of Standing Committees next in Order —

Mr Clagett from the Committee on Corporations presented the following Report

Mr Clagett reports that the Standing Committee on Corporations have had under Consideration the Council bill No 25 entitled An Act to incorporate the Bullion Insurance Company, have come to a favorable Conclusion thereto and have directed their Chairman to report the same back to the House and recommend its passage —

The Report was accepted, and the Bill Committed to the Committee of the whole.

Mr Brumfield from the Committee on Judiciary presented the following report.

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the House Bill No 129 Intitled An Act Requiring County Recorders to give Bonds — have directed their Chairman to Report the same to the House without Amendment and recommend its passage —

Mr. Brumfield Pro

The report was accepted, and the Bill committed to the Committee of the whole. and ordered printed.

Mr Brumfield from the Committee on Judiciary presented the following Report

Mr Brumfield reported that the committee on the Judiciary have had under consideration the House Bill No 129 en

The Sergeant at arms announced Mr Gillespie —

Mr Clagett moved he be excused and required to read the Rules of the House — Carried — On motion the Call of the House was dispensed with

The Speaker announced Notice of the introduction of Bills next in order.

Mr Brumfield gives notice that he will, at some future day ask leave to introduce a Bill entitled An Act to amend the Sign Laws.

Mr Partridge gives notice that he will, at some future day ask leave to introduce a Bill entitled An Act to amend an act to create Counties and establishing the Boundaries thereof.

The Speaker announced the Introduction of bills next in Order —

Mr Clagett introduced a Bill entitled An Act to amend an act entitled An Act to provide for the election of Probate Judges and Prosecuting attorneys and defining their duties

Approved Dec 19" 1862

Read first and second time
Referred to the Committee on Judiciary

Mr Tennant Introduced a Bill Entitled An Act for the relief of H. S. Joachimson —
Read first and second time —
Referred to the Committee on Claims

Mr Gillespie introduced a Bill Entitled An Act to provide for taking the Census and statistics of the Territory and for the apportionment of Representatives
Read first and second time —
On Motion of Mr Gillespie Committed to the Committee of the whole and ordered printed —
On leave Mr Elliott gives notice that he will, at some future day ask leave to introduce a Bill entitled An Act to provide for the publication of the decisions of the Supreme Court and the appointment of a reporter —
Mr Gillespie gives notice that he will, at some future day ask leave to introduce a bill entitled An Act for the relief of S. E. Crane.
Mr Gillespie gives notice that he will, at some future day ask leave to introduce a Bill Entitled An Act for the protection of Livery Stables Ranch and Corral Keepers —
On leave Mr Brumfield Introduced a bill entitled An Act in relation to Town Sites — Read first and second time and referred to the Committee on Internal affairs Towns & Counties

Mr Brown filed introduced a bill entitled An Act to audit the claim of Wellington Stewart and to provide for the payment of the same - Read first and second time Referred to the Committee on Claims -

Mr Dixson moved to take a recess until 1 O. Clock P.M. Lost

On leave Mr Elliott introduced a Bill entitled An Act to provide for the publication of the decisions of the Supreme Court and the appointment of a Reporter. Read first and second time

Mr Clagett moved the Bill be committed to the Committee of the whole and ordered printed Carried

The Bill was so ordered -

Message from the Council -

Council Chamber Feby 8th 1862

To the Hon the Speaker of the House of Representatives

I herewith transmit Council Bill No 84 An act to supply the towns of Austin and Clifton with water -

Council Bill No 83 An act to amend an act entitled An Act to regulate proceedings in the Courts of Justice in this Territory -

I also return House Bill No 35 An act for the relief of Michael Kelley Constable of Carson City Ormsby County N. T.

House Bill No 114 An act to encourage the Construction of a telegraph line to Henrieville

and Star City Humboldt Co with amendment all of which Bills have passed the Council.

Respectfully P. G. Clark
Secy Council

Council Bill No 84 An act to supply the towns of Chustin and Clifton with water —
Read first and second time
Referred to the Sanders Delegation

Council Bill No. 83 An Act to amend an act Entitled an act to regulate proceedings in Courts of Justice in the Territory —
Read first and second time
Referred to the Committee on Judiciary
Mr Elliott Moved
the Sergeant-at-arms be instructed to procure printed Copies of Council Bills — Carried

House Bill No 114 an act to Encourage the Construction of a Telegraph line to Nevinville and Starr City.

Mr Clagett moved the amendments of the Council be concurred in

Aye Mr Brumfield, Clagett, Carter, Dixson, Gillespie, Gove, Hunter, Jones, McDonald, Track, Mr Speaker, 11
Nay Calder, Elliott, Hess, 3.

The Speaker declared the Council amendments Concurred in —
The Bill was ordered enrolled and transmitted to the Governor for his approval —

House Bill No 35 — An Act for the relief of Michael Kelley —

constable of Carson City Township Ormsby Co Nevada Territory—
Ordered enrolled and transmitted to the Governor for approval—

Mr Gillespie moved the House take a recess until 2 O. Clock P.M.
At 10:35— The House took a recess—

—Afternoon Session.—

House Called to order at 2 O. Clock P.M.
Upon the roll being Called the following were present

Mr Barclay. Calder. Cagett. Dean. Elliott. Fisher. Healon. Hess. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Trask. Patridge. Mr Speaker. 18

Absent

Mr Brumfield. Curler. Dixon. Gillespie. Isom. Gray. Rogers. Munger. 8.

Mr Tennant from the Committee on Engrossment presented the following report—

Mr Tennant reports that the Standing Committee on Enrollment have carefully compared the following entitled House Bills with the Engrossed Bills as passed by the two Houses and found the same correctly enrolled "Viz"
An Act to grant Edward J. Brickell the right to Construct and maintain a Toll Road
An Act for the relief of Hiram Knowles
An Act to provide for the appointment of Notaries Public and defining their duties T. J. Tennant—

The Bills were ordered transmitted to the Governor for his approval—

Unfinished business of the Special Orders—

House Bill No 13 an Act relating to the Sale of Real Estate and Mining Claims belonging to the Estates of deceased persons—

By unanimous Consent Mr Gillespie offered the following resolution

Resolved that the Sergeant at arms of the House be and he is hereby directed to see that the Messenger and pages place all printed Bills on the files of the members as fast as they are received from the Printer

Mr Elliott moved the adoption of the Resolution — Carried—

House Bill No 62 an act amendatory of and supplemental to an act Entitled an act to authorize the Incorporation of the City of Virginia approved Dec 19th 1862

Mr Curler called up House Bill No 61 an act to organize the County of Churchill and other purposes

House went into a Committee of the whole on Bills Nos 13 — 62 & 61 — Mr Hunter in the Chair — Reports of the Committee

Mr Hunter reported that the Committee of the whole have had under consideration the

House Bill No 13 Entitled An Act relating to the sale of Real Estate and Mining Claims belonging to the estate of deceased persons have gone through therewith and made no amendments thereto and have directed their Chairman to report the same back to the house and recommend its passage—

The Report was agreed to—
The Bill was ordered engrossed—

Mr Hunter reported that the Committee of the whole have had under consideration the House Bill No 64 Entitled An Act Amendatory of and supplemental to an act Entitled An Act to authorize the incorporation of the City of Virginia Approved Dec 19th 1862 have progressed and have directed their Chairman to report the same to the House and ask leave to sit again—

The report was agreed to
On motion of Mr Gillespie referred to the Virginia portion of the Storey Delegation with instruction to report the Bill Complete—

Mr Hunter reported that the Committee of the whole have had under consideration the House Bill No 61 entitled an act to organize the County of Churchill and other purposes have gone through therewith and have made some amendments thereto, and have directed their Chairman to report the same back to the House and recommend its passage—

The report was agreed to —
The Bill was ordered engrossed —

Message from the Council —

Council Chamber Feby 8 "1864

To the Hon the Speaker of
the House of Representatives.

I herewith transmit to your Hon Body House Bill No 8 An act to create the County of Nye" The same having passed the Council this day without amendment —

Respectfully P. G. Clark
Secy Council

House Bill No 8 ordered Enrolled

Also,

I herewith transmit to your Hon Body Council Bill No 89 An act to change the name of Jacobsville in Sander County to Fountain City

Council No 94 An act to amend an act Entitled An Act to Incorporate the town of Gold Hill.

Council Bill No 68 an act for the regulation of the Telegraph and to secure Secrecy an fidelity in the transmission of Telegraphic Messages the same having passed the Council and herewith transmitted for the approval of your Hon House Resp

P. G. Clark.

Council Bill No 89 an act to change the name of Jacobsville in Sander County to Fountain City —

Read first and second time
Referred to the Sander Delegation

Council Bill No 94 An Act to amend an act entitled An Act to incorporate the Town of Gold Hill Approved Dec 14th 1862 — Read twice and referred to the Gold Hill portion of the Storey Delegation.

Council Bill No 68 An Act for the organization of the Telegraph and to secure the secrecy and transmission of messages —
Read first and second time —
Reffered to the Committee on Judiciary

Mr Gore from the Committee on Engrossment presented the following report

Mr Speaker reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original as ordered engrossed and found the same correctly engrossed — Viz —

House Bill No 46 An Act Amendatory of an Act to amend an Act entitled An Act establishing a Common School system for the Territory of Nevada approved Nov 29th 1861 approved Dec 20th 1862

Also. House Bill No 44 An Act to authorize Thomas Nisum his associates and assigns to keep and maintain a Toll Road —

Also House Bill No 14 An Act to amend an act entitled An Act to grant the right to construct a Toll Road from Virginia City to Truckee Meadows and Steamboat Valley in Storey and Washoe Counties Approved Nov 29th 1861 —

Also House Bill No 126 An Act to audit the claim of Thomas C. Nye and to provide for the payment of the same

The report was accepted and the Bills were ordered to a third reading.

Mr Tennant from the Committee on Enrollment presented the following report

Mr Tennant from the Standing committee on Enrollment reports that the Committee have delivered the following Entitled House Bills to his Excellency the Governor for his approval the 8th of July 1864 — Viz —

An Act to grant Edward F. Brickell a right to construct and maintain a Toll Road.

An Act for the relief of Hiram Knowles

An Act to provide for the appointment of Notaries Public and defining their duties

Resp — T. J. Tennant —
Chairman —

The House then considered Unusual Orders of the day —

Mr Gillespie called up Council Bill No 69 an act to issue Bonds and coupons —

Mr Clagett moved to call up House Bill No 98 an act for the encouragement of Mining out of its regular order

Mr Trask moved to call up House Bill No 56 an act to provide for the Building of a Court House and Jail in the County of Lyon out of its regular order —

House went into a committee of the whole on Council Bills No 69 and House Bills Nos 98 — 56 —

Mr Mc Donald in the Chair —

Report of the Committee —

Mr Mcdonald reported that the committee of the whole have had under consideration the House Bill No 98 entitled An Act for the Encouragement of Mining: have gone through them with have added a section thereto and have directed their Chairman to report the same to the House and recommend its passage

The report was agreed to and the Bill ordered Engrossed.

Message from the Council—

Council Chamber Feby 8th 1864

To the Hon the Speaker of.
The House of representatives—

I herewith return House Bill No 83 An Act in relation to Probate Judges in certain Counties in the Territory" the same having passed the Council this day with the following Amendments — In Sec 1st the Count of "Washoe" shall be stricken out. Sec 5 shall be made Sec 4, Sec 4 shall be Sec 5—

Resp P.G. Clark — Secy Council.

Mr Mcdonald moved the House concur in the Council Amendments

Aye Mr Barclay, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gove, Heaton, Hess, Hunter, Jones, Mc Donald, Stewart, Tennant, Trask, Mr Speaker, 18

Nay Mr Brumfield Nelson Phillips 3.

The Speaker declared the Council Amendments Concurred in.

On leave Mr Tennant from the Committee on Enrollment presented the following Report—

Mr Tennant reports

that the Standing Committee on Enrollment have carefully compared the following entitled House Bill with the Engrossed Bill as passed by the two Houses, and found the same correctly enrolled. "Viz"

An Act to encourage the construction of a Telegraph Line to Unionville and Star City

Thos J. Tennant.

The Bill was ordered transmitted to the Governor for approval.

Mr Clagett moved to adjourn Carried at 4:35 P.M. House adjourned to meet at 6:30 P.M.

— Evening Session —

House called to order at 6:30 P.M. Upon the Roll being called the following were present —

Mesrs Barclay. Brumfield. Clagett. Carter. Dean. Dixson. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Nelson. Stewart. Tennant. Trask. Nugar. Patridge. Mr Speaker. 20 —

Absent Mr Calder. Gray. 6.
Jones. McDonald. Phillips Rogers.
On leave.

Mr Elliott offered the following Resolution —

Resolved that the House Bills Nos 90. 93. & 80 granting Rail-Road Franchises be made the special Order for Tuesday Evening the 9" inst

The question was then taken on the adoption of the Resolution — Lost —

The House next went into Consideration of the General Orders —

Mr Brumfield called up House Bill No 10. An Act to supply Carson with water—

Mr Elliott called up House Bill No 39 An act to supply Carson City with water to protect the property of said City against fire and other purposes

Mr Brumfield moved No 39 be indefinitly postponed — Carried—

Mr Stewart called up House Bill No 22 An act to amend an act entitled an act authorizing Ellen Redman and others and their associates and successors to construct and maintain a Toll Bridge across Carson Slough approved Dec 19th 1864.

Mr Dixson called up Council Bill No 9 An Act to authorize Daniel Millington his associates and heirs to construct a Toll Road—

House went into a Committee of the whole on Bills Nos 22 & 10 Council Bill No 9.

Mr Fisher in the Chair—

Report of the Committee

Mr Fisher reported that the Committee of the whole have had under Consideration the House Bill No 10 Entitled An Act to supply Carson with Water have gone through therewith have made some amendments thereto have directed their Chairman to report the same to the House and recommend its passage —

The Report was agreed to and the Bill was ordered Engrossed—

Mr Fisher reported that the

Committee of the Whole have had under Consideration the House Bill No 22 Entitled An Act to amend an act Entitled An Act authorizing Ellen Redman and others and their associates and successors to Construct and Maintain a Toll Bridge across Carson Slough approved Dec 19th 1862 have gone through thereon with have made some amendments thereto to have have directed their Chairman to report the same to the House and recommend its rejection —

The question was taken on agreeing to the Report of the Committee

Aye Mr Elliott, Fisher, Healon, McDonald, Nelson, Phillips, Trask, Mr Speaker — 8

Nay Mr Brumfield, Barclay, Calder, Clagett, Curler, Dean, Dixson, Gillespie, Hess, Hunter, Stewart, Tennant — 12 — Lost

Mr Gillespie moved the Vote be reconsidered — Lost.

Mr Fisher reported that the Committee of the Whole have had under consideration the Council Bill Entitled An Act to authorize Daniel Wellington his associates and assigns to Construct a Toll Road — have gone through therewith have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage — The Report was agreed to. The Bill was ordered to a third Reading

Message from the Council

Council Chamber
Feby 8th 1864 —

To the Hon the Speaker
of the House of Representatives

Herewith transmit Council Bills No 54, 65 & 92 for your approval the same having passed the Council this day.

Council Bill No 54 an act entitled an act to provide for the Election of Probate Judges and prosecuting attorneys and defining their duties &c —

No 65 — An Act to authorize John G. Powell to construct a Toll Road

No 92 An Act to authorize S. Stimson and others to maintain a Toll Road & Bridge —

Council Bill No 9 an act to authorize David Olds to establish and maintain a Toll Road and Bridge in Douglas County —

Also House Bill No 121 An Act amendatory of an act entitled An act extending the Jurisdiction of the Probate Courts of this Territory — The same having passed the Council without amendments — Also herewith return, House Bill No 57 an act authorizing Ministerial officers to appoint Deputies, The same having passed the Council amended as follows

Sec 1st To read instead of "Ministerial Officers" All Prosecuting Attorneys, County Recorders, Clerks of the several District Courts and County Clerks

Respy T. G. Clark
Secy Council —

House Bill No 121 An Act amendatory of an act Entitled An Act extending the Jurisdiction of the Probate Courts

of the Territory —
The Bill was ordered Enrolled.

House Bill No 57 An Act authorizing Ministerial Officers to appoint Deputies
Mr Clagett moved the message of the Council together with the Bills be laid on the Table — Carried —

Mr Stewart moved the House Bill No 22 be engrossed for a Third Reading —
Mr Elliott moved the Bill be recommitted to the Committee of the Whole — Carried —
The Bill was recommitted to the committee of the Whole —

Mr Heaton moved to adjourn — Carried —

House adjourned at 9.45 P. M —

— Twenty Ninth Day. —

Tuesday Feby 9th 1864

Pursuant to adjournment the House was called to order at 10 O. Clock A. M.
Upon the Roll being called the following Men present —

Messrs Barclay. Brumfield Calder. Curler. Dean. Dixson. Fisher. Gove. Heaton. Hess. Hunter. Jones. McDonald Nelson. Phillips. Stewart. Trask. Patrick. Mr Speaker. 19.

Absent.
Mr Clagett. Elliott. Gillespie. Gray. Pequa. Tennant. Wongar. 7.

The Speaker announced presentation of Petitions next in order

Mr Phillips presented a petition from the Citizens of Storey praying for the passage of the Civil Contract Act payable in Coin —

Mr Phillips moved the Petition be referred to the Committee of the Whole — Carried —

The Petition was Committed to the Committee of the Whole —

Mr Barclay presented a Petition from the Citizens of Storey praying for the immediate passage of the Virginia Incorporation Act — and Consolidation of City and County Government

Mr Heaton moved the petition be Committed to the Committee of the Whole —

Mr Barclay moved to amend by referring it to the Storey Delegation — Carried —

The Petition was so referred —

Mr Tremont presented a Petition from the Citizens of Lander praying for the name of Jacobsville be changed to Fountain City —

Referred to the Lander Delegation

The Speaker announced Reports of Standing Committees next in Order:

Mr Calder from the Committee on Internal Improvements presented the following report.

Mr Calder reported that the Committee on Internal Improvements have had consideration the Council Bill No 56, entitled an Act to authorize M. D. Harmon to construct a Toll Road have made some amendments thereto and have directed

their Chairman to report the Bill to the House and recommend its passage

The Report was accepted —

The Bill was committed to the Committee of the Whole — Also —

Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 105 Entitled an Act granting Moses P. Hayens and associates the right to construct a Toll Road from Clifton to Amador — have directed their Chairman to report the Bill to the House and recommend its passage

The Report was accepted —

The Bill was committed to the Committee of the Whole — and ordered printed.

Mr Tennant from the Committee on Enrollment presented the following Report

Mr Tennant Reports that the Standing Committee on Enrollment have transmitted to his Excellency the Governor the following entitled House Bill for his approval the 8th day Feby 1864.

Viz: An Act to encourage the Construction of a Telegraph Line to Unionville and Star City —

Also — Mr Tennant reports that the Standing Committee on enrollment have carefully compared the following entitled House Bill with the Engrossed Bill as passed by the two Houses and found the same correctly enrolled

"Viz" An Act to incorporate the City of Star in the County of Humboldt —

Thos J. Tennant — Chm —

The Bill was ordered transmitted to the Governor for approval —

Mr Tennant from the Sander Delegation presented the following report

The Sander Delegation to was referred Council Bill No 89 Entitled An Act to change the name of Jacobsville in Sander Co to Fountain City — Have made no amendments and recommend its passage

The Report was accepted

The Bill was committed to the Committee of the whole and ordered printed.

Mr McDonald from the Select Committee composed of the Lyon & Churchill Delegation presented the following Report.

Mr McDonald reported that the Committee of the Lyon and Churchill Delegation have had under consideration the House Bill No 108 entitled An Act to create the Dayton Gas Company have had the same under consideration have directed their Chairman to report the same back to the House and recommend its passage —

The Report was accepted —

The Bill was committed to the Committee of the whole and ordered printed

Mr Fisher from the Committee on Claims presented the following Report

Mr Fisher reported that the Committee on Claims have had under consideration the House Bill No 109 entitled An Act for the relief of D. J. Gaskin have had the same under consideration — have directed their Chairman to report the enclosed Bill as a substitute —

The question was then taken

on agreeing to the report — Carried —
The Substitute was committed to the Committee of the Whole and ordered printed
Council Message (Pending Action) when the House adjourned was taken from the table and considered by the House —
House Bill No 57 an act authorizing Ministerial officers to appoint Deputies with amendments
Mr Clagett moved the House do not concur in the Council amendments — Carried —
Mr Clagett moved a Committee of three be appointed to confer with a Committee of the Council on the Council amendments — Carried.
Messrs Clagett Stewart and Elliott were appointed said Committee of Conference.
The Clerk was ordered to transmit a message to the Council informing that Hon Body of the non concurrence of the House and requesting it to appoint a Committee of Conference to confer with the Committee of the House —
Council Bill No 65 an act to authorize John S. Powell his associates and assigns to construct a Toll Road.
Read first and second time — Referred to the Committee on Internal Improvements.
Council Bill No 92 an act authorizing S. Stewart and others their associates and assigns to maintain a Toll Road and Bridge — Read first and second time — Referred to the Committee on Internal Improvements
Council Bill No 79 an act

authorizing David Olds to establish and maintain a Toll Road and Bridge in Douglas County Nevada Territory —

Read first and second time

× Referred to the Committee on Internal Improvements

Council Bill No 54 An act Amendatory of an act Entitled An Act to provide for the election of Probate Judges and Prosecuting Attorneys and defining their duties — Approved Dec 19th 1862

Read first and second time — Referred to the Committee on Judiciary —

Mr Patridge from the Committee on Engrossment presented the following report

Mr Patridge reports that the Committee on Engrossment have carefully compared the following Entitled House Bills with the originals as ordered engrossed and found the same correctly engrossed "Viz"

"House Bill No 13„ An Act Relating to the sale of Real Estate and Mining claims belonging to the estates of Deceased persons —

House Bill No 61 An Act To organize the County of Churchill and for other purposes

House Bill No 98 An Act For the Encouragement of Mining

The Report was accepted The Bills were ordered to a third Reading —

The Speaker announced the notice of Introduction of Bills next in order —

Mr Unger gives notice that he will, at some future day ask leave to introduce a Bill Entitled An Act to incorporate the Virginia

and Crystal Peak Rail Road Company

Mr Dean gives notice that he will at some future day ask leave to introduce a Bill Entitled An Act Prohibitory of Disloyal Persons acting as attorneys in Justice Courts.

The Speaker Announced Third reading of Bills Next in Order—

Third Reading of House Substitute for Council Bill No 21 An Act Amendatory of an act to amend an Act Intitled An Act establishing a Common school System for the Territory of Nevada Approved Dec 20th 1862

Mr Elliott Moved it be recommitted to the Storey Delegation — Carried

The Bill was recommitted to the Storey Delegation—

Mr Gillespie moved the Delegation be instructed to report the Bill Complete — Carried—

The Delegation so instructed—

Council Bill No 9 An Act to authorize Daniel Wellington his associates and assigns to keep and maintain a Toll Road.

The question was then taken on the final passage of the Bill—

Aye Messrs Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Fisher, Gillespie, Gove, Nealon, Hess, Hunter, Jones, McDonald, Stewart, Tennant, Trask, Vaugan, Mr Speaker, 21

Nay Mr Nelson, Phillips. 2

The Speaker declared the Bill duly passed

The Clerk was ordered to transmit the Bill to the Council informing that Body of the action of the House —

Third reading of House Bill No 244 An Act to authorize Thomas Rissue his associates and assigns to keep and maintain a Toll Road.

By unanimous consent Mr Elliott amended Sec 5th adding "Who shall Willfully or Maliciously"

The question was then taken on the final passage of the Bill.

Aye Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Unger, Mr Speaker. 23.

Nay None.

The Speaker declared the Bill duly passed.

The Clerk was ordered to transmit the Bill to the Council for its Concurrence.

Third reading of House Bill No 126 An Act to audit the Claims of Thomas R. Nye and to provide for the payment of the same.

The question was then taken on the final passage of the Bill.

Aye Mr Barclay, Brumfield, Calder, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hunter, Jones, McDonald, Phillips, Stewart, Tennant, Trask, Unger, Mr Speaker. 20

Nay Mr Clagett, Hess, Nelson, 3.

The Speaker declared the Bill duly passed.

The Clerk was ordered to transmit the Bill to the Council for its Concurrence.

Third reading of House Bill No 14 An Act to amend an Act Entitled An Act to grant

the right to construct a Toll Road from Virginia City to Truckee Meadows and Steamboat Valley in Storey and Washoe Counties. Approved Nov 29" 1861 —

The question was then taken on the final passage of the Bill

Aye Mr Clagett. Fisher. Gore. Heaton. Jones. McDonald. Phillips. 7 —

Nay Mr Barclay. Brumfield. Calder. Curler. Dean. Dixson. Elliott — Gillespie. Gray. Hess. Hunter. Nelson. Stewart. Tennant. Trask. Ungar. Mr Speaker. 16

The Speaker declared the Bill rejected —

Third Reading of House Bill No 98 An Act for the Encouragement of Mining —

The question was then taken on the final passage of the Bill —

Aye Mr Barclay. Brumfield. Calder. Clagett. Curler. Dean. Fisher. Gillespie. Gore. Heaton. Hess. Hunter. Jones. McDonald. Nelson. Phillips. Stewart. Tennant. Trask. Ungar. Mr Speaker — 21 —

Nay — Mr Elliott — 1 —

The Speaker declared the Bill duly passed — The Clerk was ordered to transmitt the Bill to the Council for its Concurrence —

Third reading of House Bill No 61 An Act to organize the County of Churchill and other purposes —

The question was then taken on the final passage of the Bill —

Aye Mr Barclay. Calder. Clagett. Curler. Dean. Fisher. Gillespie. Gore. Heaton. Hess. Hunter. Jones. Nelson. Stewart. Tennant. Ungar. 16.

Nay Mr Brumfield Elliott McDonald Phillips Trask Mr Speaker 6.

The Speaker declared the Bill duly passed

Mr Blagett gave notice that he will tomorrow move to re-consider the Vote —

Third reading of House Bill No 43 an act relating to the sale of Real Estate and Mining Claims belonging to the Estates of deceased persons

The question was then taken on the final passage of the Bill.

Aye Mr Barclay. Brumfield. Calder. Blagett. Curler. Dean. Elliott. Fisher. Gillespie. Gove. Heaton. Hess. Hunter. Jones. McDonald. Nilson. Phillips. Stewart. Tennent. Trask. Ungar. Mr Speaker. 22.

Nay None.

The Speaker declared the Bill duly passed — The Clerk was ordered to transmit the Bill to the Council for its concurrence —

The Speaker announced Introduction of Bills in order —

On leave — without previous notice Mr McDonald introduced a Bill entitled An Act providing for a special term of the District Court in Lyon County —

Read first and second time

Mr Heaton moved the rules be suspended and the Bill ordered engrossed — Carried —

The Bill was ordered engrossed

Mr Nilson introduced a bill entitled An Act to incorporate the Gold Hill Hotel Company —

Read first and second time — Referred to the Committee on Corporations

Mr Patridge Introduced a Bill Entitled An Act to amend an act entitled An Act to create Counties and establishing the Boundaries thereof approved Nov. 25th 1861 — Read first and second time Referred to the Committee on Counties and County Boundaries —

Mr Blagett Introduced a Resolution and Memorial relating to the Judicial System of the Territory and praying for the organic act to be amended

Mr Blagett moved the rules be suspended and the Concurrent Resolution and Memorial be printed Carried —

On leave without previous notice Mr Barclay Introduced a Bill Entitled an act to provide increased Compensation to the Governor of Nevada Territory

Read first and second time

Mr Gillespie moved the rules be suspended and the Bill ordered Engrossed for a third reading Carried — So ordered —

The Speaker announced Motions and Resolutions in order —

Mr Hunter offered the following Resolution —

Resolved that the Recording Secretary of the Nevada Agricultural Mining and Mechanical Society be and he is hereby requested to furnish to the Standing Committee of the

house on Agriculture a copy of his annual report of Expenditures of said Society as required by section 8th of the act creating the same—

Mr Fisher moved the Resolution be adopted— Carried—

The Resolution adopted—

On leave Mr Gillespie Introduced a bill Entitled an act allowing J. C. Patridge per Diem Compensation as a representative from Rock County—

Mr Gillespie moved the rules be suspended and the Bill ordered engrossed— Carried—

Message from the Council—

Council Chamber Feby 9th

To the Hon the Speaker of
The House of Representatives

I herewith transmit the accompanying Resolution passed by the Council this day and ordered to be forwarded to your Hon Body

Resp P. G. Clark Secy Coun

Resolved — That no bills of a private nature or calling for any special appropriations shall be considered by the Council after the 18th instant and that the Secretary be instructed to inform the Hon the House of Representatives of the passage of this Resolution

Also— Therewith transmit to your Hon Body Council Bills Nos 28 & 102

No 28 an act for the relief of Insolvent Debtors and protection of Creditors—

No 102 An Act to provide compensation for the copying Indexing and Supervision of the printing of the Laws of this Territory, passed at the first Session of the Legislative Assembly the same having passed the Council this day and herewith transmitted for your approval— Also return to your Hon Body House Bill No 2 An Act for the Relief of Mason & Huff the same—

having passed the Council this day -
Respn P. S. Clark. Secy Council -
House Bill No 102 An Act to provide compensation for Copying Indexing and supervising the Laws of the Territory passed at the first Session of the Legislative Assembly - Mr Stewart moved the rules be suspended and the Bill committed to the Committee of the whole - Carried -
The Bill was committed to the Committee of the Whole. Council Bill No 28 An Act for the relief of insolvent debtors and protection of Creditors - Read first and second time - Referred to the Committee on Judiciary - House Bill No 20 Ordered Enrolled.
Mr McDonald moved the House take a recess until 2 O. Clock - Carried -
At 12.35 - House took a recess -

Afternoon Session -
The House was called to order at 2 O. Clock P.M. Upon the Roll being called the following were present -
Mr Brumfield. Delaguerra. Curler. Dean. Dixson. Fisher. Gore. Ness. Hunter. Jones. Mc Donald. Nelson. Phillips. Stewart. Tennant. Trask. Partridge. Mr Speaker. 18.
Absent -
Mr Barclay. Balder. Elliott. Gillespie. Heaton. Morgan. 6.
The Speaker announced the hour had arrived when the House should Consider Special Orders
Council Bill No 64 An Act to Amend an act Entitled an Act Establishing a Common School System for the Territory of Nevada Approved Nov 29th 1861

House Bill No 27 An Act Supplemental to and Amendatory of An Act Entitled. an Act to establish a Seminary of learning in Carson City Approved Nov 27th 1861

House Bill No 130 An Act Establishing a Polytechnic College in the Territory of Nevada

Mr Blagett moved the three Bills be made the Special order for to-morrow at 2 o'clk Lost.

The House went into the Committee of the whole on the Special Order

Mr Fisher in the Chair

Report of the Committee

Mr Fisher reported that the Committee of the Whole have had under Consideration Council Bill No 64 Entitled An Act Establishing a Common School System for the Territory of Nevada Approved Nov 29th 1861 have gone through therewith. have made some Amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage

Report agreed to and Bill ordered Engrossed

Mr Fisher reported that the Committee of the Whole have had under Consideration House Bill No 27 Entitled An Act Supplemental to an Act Entitled An Act to establish a Seminary of Learning in Carson City. Approved Nov 21st 1861 have progressed, and have directed their Chairman to report the same back to the House and recommend its be referred to the Committee on Colleges and Common Schools.

The Question was then taken upon agreeing to the report of the Committee

Ayes Mr Calder Mr Blagett Mr Dean Mr Elliott Mr Heaton Mr Hefs. Mr Hunter, Mr McDonald

Mr Nelson Mr Phillips Mr Trask and Mr Speaker. 12

Nays. Mr Barclay Mr Brumfield Mr Cyler Mr Dixson Mr Fisher Mr Gillespie Mr Gove Mr Jones Mr Stewart Mr Tennant and Mr Zunga. 11.

Report agreed to. and the Bill re-committed to the Committee on Colleges and Common Schools

Mr Fisher reported that the Committee of the Whole have had under consideration House Bill No 130 Entitled "An Act for the Establishment of a Polytechnic College in the Territory of Nevada" have not gone through therewith and have directed their Chairman to report the same back to the House and recommend it be re-committed to the Committee on Colleges and Common Schools Report agreed to and the Bill re-committed to the Committee on Colleges and Common Schools.

Mr Blagett moved to adjourn Lost

Mr Fisher moved the Revenue Bill be made the Special Order for 11 o'clock to-morrow Carried

Mr Blagett moved to adjourn Carried

House adjourned at 4.40 o'clk P.M.

Evening Session

House Called to Order at 7 o'clock P. M.

Upon Roll Call the following members were present.

Mr Barclay Mr Brumfield Mr Calder Mr Blagett Mr Cutler Mr Dean Mr Dixson Mr Elliott Mr Fisher Mr Gillespie Mr Gove Mr Keaton Mr Kelly Mr Hunter Mr McDonald Mr Nelson Mr Phillips Mr Stewart Mr Trask Mr Zunga Mr Partridge and Mr Speaker 22 –

The following absent
Mr Gray Mr Jones
Mr Regua and Mr Jennant. – 4
On leave Mr Dixson from
the Lander Delegation presented the
following report.
Mr E. C. Dixson from the
Special Committee composed of the
Lander Delegation to whom was referred
Council Bill No 84 Entitled An
Act to Supply the Towns of Austin and
Clifton with water," herewith submit
a seperate report recommending the
passage of the Council Bill for the
reasons to wit: 1st That the Grantees in
said Bill are personally known to the
undersigned, to be men of ability and
means to successfully prossecute and
complete the work 2nd That the point
from which the Grantees propose to take
the water to supply said Towns, is the only
point from which a sufficient quantity
of water can be obtained; and that they
are the only legal possessory owners of the
land upon which the springs and fountain
head is located, 3rd That any other franchise
would be inoperative and fail to sufficiently
provide for the wants of the People as to
the supply of water: and could not be done
without trespassing upon vested rights,
4th Said Bill has already passed the
Council, and unanimously endorsed
and favored by the Lander Delegation in
that Body – Respectfully
E. C. Dixson Chairman

Report accepted and the
Bill committed to the Committee
of the Whole

Message from the Governor

Executive Department
Carson City Feby 9/1862

To the House of Representatives of the Territory of Nevada — I have this day approved and signed Bills emanating in the House of Representatives of the following titles — viz" No 32 An Act to legalize the election and official acts of the several Probate Judges and Prosecuting Attorneys of the Territory of Nevada. No 114 An Act to encourage the Construction of a telegraph line to Genoa Ville and Star City

No 34 An Act to grant to Edward J. Brickell a right to construct and maintain a Toll Road.

An Act for the relief of Hiram Knowles — An Act for the relief of Henry Peck Burnham Ex tax Collector of Taxes for Douglas County — "No 6" An Act to provide for the appointment of Notaries Public and defining their duties —

James M. Nye ——

Message from the Council — of
Council Chamber Feby 9th —

To the Hon the Speaker —

I hereunto transmit Council Bills Nos 90, 87, 89.

"No 90 An Act" to authorize A.C. Larson and associates to construct a Toll Road — "No 87 An Act creating the office of Coroner for Storey Co and defining their duties — "No 89 An Act granting to certain parties the right to construct a Toll Bridge across Humboldt river in Humboldt Co. The same having passed the Council — Also House Bill No 88 An Act for the relief of C.B. Rail the same having passed the Council.

Respy P.S. Clark — Secy Council

Council Bill No 90 An Act

to authorize Mr. Saxton Sams Brannan and their associates to construct a Toll Road — Read first and second time — Referred to the Committee on Internal Improvements —

Council Bill No 87 An Act concerning the office of Coroner of the County of Storey and defining their duties — Read first and second time Referred to the Storey Delegation —

Council Bill No 67 An Act granting to certain parties the right to construct a Toll Bridge across Humboldt Slough in Humboldt Co — Read first and second time and referred to the Humboldt Delegation —

House Bill No 88 An Act for the relief of E.B. Rail — Ordered enrolled —

The House took Franchises under the General Orders —

Mr McDonald Called up House Bill No 63 An Act to incorporate the Virginia City and Dayton Rail Road Company.

Mr Gillispie Called up House Bill No 60 An Act to authorize certain parties to construct a Rail road in the County of Storey —

Mr Colliatte Called up House Bill No 90 An Act to incorporate the Virginia, Gold Hill, Washoe, and Carson Valley Rail Road Company.

Mr McDonald moved all three Bills be laid on the Table — Lost.

Mr Clagett moved all three bills be considered together — Carried —

The House went into Committee of the Whole on House Bills No 63, 60 & 90 —

Mr Dixon in the Chair —

Mr Dixon reported that the Committee of the whole have had under consideration the House Bill No 63 entitled

An Act to incorporate the Virginia City and Dayton Rail Road Company — have had some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage —

Report agreed to, and Bill ordered Engrossed

Mr Dixson reported that the Committee of the whole have had under consideration House Bill No 60 entitled An Act to authorize certain parties to construct a Rail Road in the County of Storey have directed their Chairman to report the same back to the House and recommend its rejection —

Report agreed to, and the Bill rejected —

Mr Dixson reported that the Committee of the whole have had under consideration the House Bill No 90 entitled An Act to Incorporate the Virginia, Gold Hill, Washoe and Carson City Rail Road Co — have not ~~gone through therewith~~ have done progress therein and have directed ~~their~~ Chairman to report the same back to the House and ask leave to sit again —

Roll Call — upon agreeing to the report

Aye Mr Barclay. Brumfield. Clagett. Curler, Hamlin. McDonald. Nelson. Phillips. Stewart. Trask. 10 —

Nay Mr Dean Dixson Elliott Fisher Gillespie Gove Hatch Huss Ingar Mr Speaker 10.

The Speaker declared the Report disagreed to — Mr McDonald moved it be recommitted to the Committee of the whole —

Mr Elliott moved an amendment that it be made the special order for tomorrow evening at 6; 30 P.M. Carried The Bill was recommitted to the Committee of the whole and made the special order for tomorrow evening at 6; 30 P.M —

On leave Mr Heaton offered the following Concurrent Resolution—

Resolved: By the House of Representatives the Council concurring that a Committee of five—three from the House and two from the Council be appointed to confer with A. Curry—Warden of the Territorial Penitentiary and report the condition of the same—the suitability of the premises for a permanent Bill for the Territorial prison and what the same can be purchased for also to report a Bill for the establishment of a permanent prison System—

Mr Heaton moved to suspend the rules and the Resolution be acted upon — Carried—

The question was taken on the adoption of the Resolution— Carried—

The Clerk was ordered to transmit a copy to the Council for its Concurrence

Mr McDonald moved to adjourn Carried — At 9:50 House adjourned—

Thirtieth Day.

Feby 10th 1862—

Pursuant to adjournment the House was called to order at 10 a.m

Upon the Roll being called the following were present—

Messrs Barclay, Brumfield, Calder Clagett, Curler, Dean, Dixson, Fridley, Gives Heaton, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Sumant, Trask, Patridge, Mr Speaker— 20—

Absent Mr Elliott, Gillespie, Gray, Hess, Regua, Sugar. 6.

Prayer by the Chaplain —
Journal of the preceding day read and approved. The Speaker announced Reports of Standing Committees in order —
Mr Gove from the Committee on Engrossment presented the following report Mr Gove reports the following House Bills Correctly Engrossed — "Viz —
House Bill No 146. An Act Providing for a special Term of the District Court in Lyon County — House Bill No 150 An Act Allowing J. E. Partridge a per Diem Compensation as a Representative from Roop County — House Bill No 149 An Act To provide increased Compensation to the Governor of Nevada Territory —
Also An Act Annuatory of and Supplemental to an Act establishing a Common School System for the Territory of Nevada Approved Nov 29th 1861 —
Report accepted and the Bills ordered to a third reading —
Mr Calder from the Committee on Internal Improvements presented the following report,
Mr Calder reported that the Committee on Internal Improvements have had under Consideration the Council Bill No 65 entitled An Act to authorize John G. Powell and associates to construct a Toll Road — have directed their Chairman to report the Bill to the House and recommend its passage —
Report accepted, Bill Committed to the Committee of the whole —
The Speaker announced Reports of select Committees in order —
Mr Elliott from the Storey Delegation presented the following report —
Mr Elliott reported that the Special Committee of the Storey Co —

Delegation have had under consideration the House Bill No 46 entitled an act amendatory of an act to amend an act establishing a common School System for the Territory of Nevada — Approved Nov 29th 1861. Approved Dec 20th 1862. have directed their Chairman to report the same back perfected and its passage recommended —

Report accepted and Bill ordered engrossed —

Mr Brumfield from the Committee on Judiciary presented the following Report

Mr Brumfield reported that the Committee on the Judiciary have had under consideration the Council Bill No 68 — have made no amendments have directed their Chairman to report the same to the House and recommend its passage — Report accepted —

Mr Elliott moved the rules be suspended and the Bill ordered to a third Reading — Carried —

The Speaker announced Third Reading of Bills next in order —

Third Reading of House Bill No 150 An Act allowing G. C. Partridge a per diem Compensation as a Representative from Roop County —

The question was then taken on the final passage of the Bill —

Aye Mr Barclay, Brumfield, Calder, Cobler, Dean, Dixson, Elliott, Fisher — Gillespie, Gove, Heaton, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Wyatt, Mr Speaker, 21 —

Nay, None

The Speaker declared the Bill duly passed — The Clerk was ordered to transmit the Bill to the Council for its Concurrence —

Third Reading of House Bill No 146

An Act providing for a special term of the District Court in the County of Lyon — The question was then taken on the final passage of the Bill,

Aye Mr Barclay, Brumfield, Calder, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Isom, Heaton, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Trask, Ungar, Mr Speaker. 20

Nay. None Bill passed and Clerk ordered to transmit the Bill to the Council for its concurrence.

Third Reading of House bill No 149 An Act to provide increased Compensation to the Governor of the Territory

Aye Mr Barclay, Brumfield, Calder, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Isom, Jones, McDonald, Phillips, Stewart, Trask, Ungar. 16

Nay Mr Heaton, Nelson, Mr Speaker. 3.

Bill passed and the Clerk ordered to transmit the Bill to the Council for its Concurrence —

Third reading of Council Bill No 64 An Act amendatory of and supplemental to an act establishing a Common school system for the Territory of Nevada Approved Nov 29th 1861 —

Aye Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Isom, Hunter, Jones, Nelson, Stewart, Trask, Ungar, Mr Speaker. 18 —

Nay; None. Bill passed and the Clerk ordered to transmit the Bill to the Council with a message informing that Body of the action of the House —

Message from the Council

Mr Speaker of the Assembly —

I am instructed to inform the Assembly that the Council have adopted the House Concurrent Resolution to appoint a joint Committee to report upon prison Affairs and have appointed Messrs Hall and Duggett upon the Committee Feby 10th 1862 P. L. Clark

Secy —

Mr McDonald moved the Chair appoint a committee of three to confer with the Council Committee on prison affairs — Carried

Messrs Heaton McDonald & Phillips were appointed on said Committee —

Third Reading of Council Bill No 68 An Act for the Organization of the Telegraph and to secure secrecy and fidelity in the transmission of messages

Mr Stewart moved the bill be laid on the table and ordered printed — Lost.

The question was then taken on the final passage of the bill —

Aye Mr Brumfield, Clagett, Curler, Dixson, Elliott, Fisher, Gillespie Gore, Trask, Ungar, Mr Speaker, 11 —

Nay Mr Barclay, Hunter, Jones, Nelson, Stewart — 5 —

Bill passed and the Clerk ordered to transmit the Bill to the Council with a message informing that Body of the action of the House.

On leave Mr Barclay from the Storey Delegation presented the following Report

Mr Speaker The select Committee composing the Virginia portion of the Storey Co Delegation to which was recommitted the House Bill entitled An Act amendatory of and supplemental to an act to authorize the incorporation of the City of Virginia with instructions to report the same complete have had the same under consideration have amended and revised the same and report a Bill entitled An Act to incorporate the City of Virginia as a substitute for the Bill referred to them and recommend its passage —

Thos Barclay Chm, Wm M. Gillespie, Warren Heaton, A. H. Ingar, A B Elliott, Report accepted and Bill ordered engrossed —

Mr Clagett moved the special order be postponed till 2 O. Clock. Carried —

The House then went into Consideration of unfinished Business —

House Bill No 56. An Act Providing for the Building of a Court House and Jail for Lyon County —

Mr Fisher moved to take up Council Bill No 102 An Act to provide Compensation for Copying indexing and supervising the printing of the Laws of the Territory at the first Session of the Legislative Assembly

Mr Clagett moved to Call up House Bill No 128 An Act Amendatory of and supplementary to an act Entitled An Act to provide for the formation of Corporations for certain purposes — Approved Dec 20th 1862.

House went into a Committee of the whole on Bills 56 & 128 of the House and 102 of the Council — Mr Fisher in the Chair —

Mr Fisher reported that the committee of the Whole have had under Consideration the House Bill No 56 Entitled An Act providing for the Building of a Court House and Jail for the County of Lyon Territory of Nevada —

have gone through therewith have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to Bill ordered engrossed —

Mr Fisher reported that the Committee of the whole have had under Consideration the Council Bill No 102 Entitled An Act to provide Compensation

for copying indexing and supervising the printing of the laws of the Territory at the first session of the Legislative assembly have not gone through therewith and have directed their Chairman to report the same to the House and recommend it be made the special order for Friday Evening at 6:30.

Report and order agreed to.

Mr Fisher reported that the Committee of the whole have had under consideration the House Bill No 128 entitled An Act amendatory of and supplementary to an Act to provide for the formation of Corporations for certain purposes — Approved Dec 20" 1862 have progressed have directed their Chairman to report the same to the House and recommend it be made a special order for 2 O Clock P.M.

Report and order agreed to.

Mr Heaton moved to take a recess until 2 O. Clock. Carried At 12:45 the House took a recess.

Afternoon Session.

The House was called to order at 2 O Clock P.M.

Upon the Roll being called the following were present.

Mr Barclay, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gove, Heaton, Hiss, Hunley, Jones, McDonald, Nelson, Phillips, Tunnant, Trask, Wagar, Patridge. Mr Speaker. 21

Absent

Mr Brumfield, Gillespie, Gray, Rogua, Stewart. 5

The Speaker announced the hour had arrived when the House

should consider Special Orders —
Mr Clagett Moved House
Bill No 128 be considered first — Carried
House Bill No 84 An Act
to provide for assessing and collecting
County & Territorial Revenue —
House went into a Committee
of the Whole on Special orders
Mr McDonald in the Chair —
Mr McDonald reported
that the committee of the Whole have had
under consideration the House Bill No 128
Entitled an Act Amendatory of an Act
and supplementary to an act entitled
An Act to provide for the formation of
Corporations for certain purposes —
approved Dec 20th 1862, have gone through
therewith, have made some amendments
thereto and have directed their Chair-
man to report the same back to the
House and recommend its passage —
Mr Brumfield renewed his
amendment made in the Committee of
the Whole — striking out the word Clerk
in the 2d Section and inserting
Recorder — Ayes & Noes Called for —
Aye Mr Brumfield, Clagett, Curler,
Dean, Dixon, Fisher, Gore, Heaton, Hunter,
Jones, Nelson, Stewart, Tennant, Trask, 14.
Nay Mr Barclay, Elliott,
Gillespie, Hess, McDonald, Phillips, Mr Speaker, 7
The amendment prevailed —
Mr Phillips renewed his
amendment made in the Committee of
the Whole striking out the word County
in the 3rd Section and inserting the words
Mining District — Ayes & Noes Called for.
Aye Mr Brumfield, Heaton, Hunter,
Jones, Nelson, Phillips, Stewart, Tennant, 8
Nay Mr Barclay, Caber, Clagett, Curler,
Dean, Dixon, Elliott, Fisher, Gillespie, Gore, Hess,
McDonald, Trask, Mr Speaker, 14

The Speaker declared the amendment, Lost.
Mr Brumfield moved to strike out the word Clerk in the 27th Section and insert Recorder – Carried –
Mr Elliott moved the Bill be recommitted to the Committee of the whole Lost. The question was taken. On agreeing to the Balance of the amendments – Carried – Mr Gillis pii moved the Bill be referred to the Committee on Corporations with instructions to insert Mr Elliotts amendment –
Mr McDonald moved Lyon County be added. Lost. The question was then taken on recommitting the Bill to the Committee on Corporations, Lost;
The Bill was ordered Engrossed –
Mr McDonald reported that the Committee of the whole have had under consideration the House Bill No 84 Entitled An Act to provide for the assessing and collecting of County and Territorial Revenue –
have progressed. and have directed their Chairman to report the same to the House and ask leave to sit again – Report agreed to – and leave granted to sit again –
On leave Mr Calder from the Committee on Internal Improvements presented the following Report.
Mr Calder reported that the Committee on Internal Improvements have had under consideration the House Bill No 125 entitled An Act to authorize A.C. Larson and Jas Brannan – to construct a Toll Road – have directed their Chairman to report unfavorably and recommend its rejection –
Report agreed to and Bill Rejected –

Mr Calder reported that

The Committee on Internal Improvements have had under consideration the House Bill No 26 entitled An Act granting L. L. Bartlett and B. N. Sommright to construct and maintain a Toll Road. Have taken testimony in the case and have directed their Chairman to report the Bill to the House and recommend its rejection. Report agreed to and the Bill rejected —

Mr Calder reported that the Committee on Internal Improvements have had under consideration the Council Bill No 2 entitled An Act granting a franchise to Wm. Lsaunsing for a Toll Road — Have taken testimony in the case and have directed their Chairman to report the Bill to the House and recommend its passage —

Report agreed to and the Bill committed to the Committee of the Whole.

Mr Fisher gave notice he would move to reconsider the vote —

Also

Mr Calder reported that the Committee on Internal Improvements have had under consideration Council Bill No 19. entitled An Act to authorize David Ocas to construct a Toll Road and Bridge in Douglas County — have amended by striking out Sec 2. — have directed their Chairman to report the Bill to the House and recommend its passage —

Report accepted and the Bill committed to the Committee of the Whole —

Mr Stewart reported that the Committee on Engrossment have had under consideration the House Bill No 63. entitled An Act to incorporate the Virginia City and Dayton Rail Road Company.

and have directed their Chairman to report the same back to the House Correctly engrossed.

Report accepted and the Bill ordered to a third reading —

By unanimous Consent Mr Hess introduced a Bill entitled An Act to increase the Salary of the Probate Judge of Esmeralda County — Read first and second time Referred to the Committee on Judiciary.

Mr Gillespie moved the House now adjourn till 10 O.Clock tomorrow — Carried —

At 4:35 P.M. House adjourned.

Thirty First Day Morning Session
Thursday Feb 11th 1864

Pursuant to adjournment the House was Called to Order at 10 O'clock A.M.

Upon Roll call the following members were present

Mr Barclay Mr Brumfield Mr Caulder, Mr Cofer Mr Dean Mr Elliott Mr Fisher Mr Gove Mr Heaton Mr Hess Mr Hunter Mr Jones Mr McDonald Mr Nelson Mr Stewart Mr Tennant Mr Trask Mr Partridge and Mr Speaker — 19

The following Absent

Mr Clagett Mr Dixon Mr Gillespie Mr Gray Mr Phillips Mr Regua and Mr Ungar 7

Prayer by the Chaplain.

Journal of the preceding day read and approved

Mr Speaker announced the first business in Order was reports of Standing Committees

Mr Partridge from the Committee on Engrossment presented the following Report

Mr Partridge reports that the Committee on Engrossment have carefully Compared the following entitled House Bills

with the original, as ordered Engrossed, and found the same correctly engrossed (viz:)

Substitute for House Bill No 64 "An Act to incorporate the City of Virginia" also House Substitute for Council Bill No. 21 An Act amendatory of An Act to amend An Act Establishing a Common School System for the Territory of Nevada Approved Nov 29th 1861 Approved Dec 20th 1862.

Report accepted and Bill ordered to a third reading

Mr Bask from the Committee on Agriculture presented the following Report.

Mr Bask reports that the Committee on Agriculture have had under Consideration Council Bill No 50, "An Act amendatory of and supplemental to An Act entitled An Act to incorporate the Washoe Agricultural Mining and Mechanical Society"

and whereas your Committee not having been furnished with a Copy of the Annual Report of said Society, according to the requirements and provisions of the Act of incorporation, we are unable to report intelligably in the matter, and have directed their Chairman to report the same back to the and recommend the same be laid on the Table.

Report agreed to and Bill laid on the Table

Mr Brumfield from the Committee on Judiciary presented the following report.

Mr Brumfield reported that the Committee on Judiciary, have had under consideration House Bill No 115 Entitled An Act to amend An act providing for the Election of Probate Judges and Prosecuting Attorneys &c have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage Report accepted and Bill Committed to the Committee of the Whole and ordered printed Mr Speaker Announced the next business in order was reports of Select Committees

Mr Calder reported that the Esmeralda Delegation have had under Consideration House Bill No 156. Entitled "An Act to increase the Salary of the Probate Judge of Esmeralda County" have come to a favorable Conclusion and directed their Chairman to report the same back and recommend its passage

Report agreed to and Bill Committed to the Committee of the Whole and ordered printed

Mr McDonald reported that the select Committee composed of the Lyon and Churchill Delegations, have had under Consideration House Bill No 125 Entitled "An Act to supply the Town of Dayton with water and to protect the Town against Fire" and have directed their Chairman to report the same back to the House and recommend its passage.

Report Agreed to and Bill Committed to the Committee of the Whole and ordered printed at the expense of the Grantees.

Mr Speaker announced the third reading of Bills next in Order -

House Bill No 65. "An Act to incorporate the Virginia City and Dayton Rail Road Company, was read a third time and passed. Ayes. Mr Barclay Mr Brumfield Mr Carlon Mr Clagett. Mr Dean Mr Dixson Mr Elliott Mr Fisher Mr Gillespie Mr Gove Mr Heaton Mr Hesse Mr Hunter Mr Jones Mr McDonald Mr Nelson Mr Stewart Mr Tennant Mr Trask and Mr Speaker Ayes 20 Noes none -

The Clerk was ordered to transmitt the Bill to the Council for its concurrence

House Substitute for Council Bill No. 21 "An Act amendatory of an Act to amend an Act Establishing a Common School System for the Territory of Nevada Approved Nov 29th 1861 Approved Dec 26th 1862" was read a third time and passed. Ayes - Mr Barclay

Mr Brumfield Mr Calder Mr Clagett Mr Dean Mr Dixon Mr Elliott Mr Fisher Mr Gillespie Mr Gove Mr Heaton Mr Hess Mr Hunter Mr Jones Mr McDonald Mr Nelson Mr Stewart Mr Trask and Mr Speaker. 19. Nayes none.

The Clerk was ordered to transmit the Bill to the Council with a message informing it of the passage of the House substitute for Council Bill No. 21.

House Bill No 64 "An Act to incorporate the City of Virginia" Approved Dec 19th 1862" was read a third time and passed Ayes – Mr Barclay Mr Brumfield Mr Clagett Mr Cluster Mr Dixon Mr Elliott Mr Fisher Mr Gillespie Mr Gove Mr Heaton Mr Hess. Mr Hunter Mr Jones Mr Nelson Mr Stewart Mr Tennant Mr Trask and Mr Speaker 18 Nayes none

The Clerk was ordered to transmit the Bill to the Council (together with the Bill organizing Churchill County) for its Concurrence

Mr Speaker announced the introduction of Bills next in order:

Mr Gillespie introduced a Bill Entitled "An Act to Amend An Act for securing liens to Mechanics and others" read first and second time, and upon motion of Mr Gillespie, the rules were suspended and the Bill committed to the Committee of the whole, and ordered printed

Mr Speaker announced Motions and Resolutions next in order.

Mr Gillespie offered the following Resolution

Resolved – "by the House of Representatives (the Council Concurring) that a Joint Committee of three from each House be appointed whose duty it shall be, to report a Bill making an appropriation for additional Salary to the regular attaches of the Legislative Assembly, as well as to provide compensation for extra Clerk hire. Mr Gillespie moved the rules be

suspended and the resolution adopted Carried, The question then being upon the adoption of the Resolution. Carried

Mr Clagett offered the following Resolution

Resolved - That the Committee on Engrossed Bills is hereby instructed to report back to the House forthwith. House Bill Entitled "An Act to amend and supplemental to an Act to provide for the formation of Corporations for certain purposes

Approved Dec 20th 1862

and that said Bill be and is hereby re-committed to the Committee on Corporations with instructions to amend the same at discretion and report it back to the House this day

Mr Elliott moved the adoption of the Resolution - Carried -

Mr Fisher moved reconsideration of the vote taken upon agreeing to the Report of the Committee on Internal Improvements, rejecting "An Act granting C. C. Bartlett and B. F. Low the right to Construct a Toll Road." The Ayes and Nayes being called with the following result

Ayes, Mr Clagett Mr Dean Mr Elliott Mr Fisher, Mr Hess Mr Nelson Mr Stewart Mr Tennant and Mr Speaker - 9.

Nayes, Mr Barclay Mr Brumfield Mr Caulder Mr Culer Mr Dixson Mr Gove Mr Heaton Mr Hunter Mr Jones Mr McDonald and Mr Task, 11

motion lost,

Mr. Clagett offered the following Concurrent Resolution,

Resolved - by the House of Representatives (the Council Concurring) that a Joint Committee to consist of seven members (four to be appointed from the House and three from the Council) be appointed to report a Bill to the

two Houses. To provide for the assessing and Collecting of County and Territorial Revenue The Ayes and Nayes were called with the following result Ayes. Mr Barclay Mr Calder Mr Clagett Mr Carter Mr Dean Mr Gillespie Mr Gove Mr Hess Mr McDonald Mr Jennant and Mr Speaker — 11 —

Nayes. Mr Bennfield Mr Dixon Mr Elliott Mr Fisher Mr Heaton Mr Hunter Mr Jones Mr Nelson Mr Stewart and Mr Trask — 10 —

Resolution adopted and the Clerk ordered to transmitt a copy to the Council forthwith

Mr Gillespie offered the following Resolution

Resolved — that the members of the House on the Joint Committee to be appointed, to consider and report complete the Revenue Bill, be instructed to report a clause therein, taxing the mines and all other property equally and alike according to their market value.

Mr Barclay offered the following amendment Resolved — that the Committee of Conference on the part of the House are hereby instructed to favor a policy of taxing the nett proceeds of the mines the same as other property.

Mr Gillespie moved the previous question. Mr Speaker stated the question "Shall the main question be now put?" Carried and the main question ordered

The Ayes and Nayes were called upon Mr Barclays amendment with the following result. — Ayes — Mr Barclay Mr Hess and Mr Nelson — 3 — Nayes Mr Bennfield Mr Calder Mr Clagett Mr Carter Mr Dean Mr Dixon Mr Elliott. Mr Fisher Mr Gillespie Mr Gove Mr Heaton Mr Hunter Mr Jones Mr McDonald Mr Stewart Mr Jennant Mr Trask and Mr Speaker — 18 —

Amendment Lost. The question was then taken on the original Resolution.
Aye Mr Clagett, Curler, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hunter, Jones, Stewart, Truscott, Trask, 13
Nay Barclay, Brumfield, Calder, Dean, Hess, McDonald, Nelson, Mr Speaker, 8.
Resolution adopted. Mr Gillespie moved a reconsideration of the vote.
Aye Mr Barclay, Calder, Clagett, Curler, Dean, Hess, McDonald, Nelson, Truscott, Mr Speaker. 10.
Nay Mr Brumfield, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hunter, Jones, Stewart, Trask, 11. Lost.
On leave Mr Hess withdrew House Bill No 107 Entitled An Act to increase the Salary of Prosecuting Attorney of Esmeralda Co.
Mr Clagett moved the Revenue Bill be referred to the Special Committee of Seven.
Mr Hunter moved an amendment Instructing the Committee to report by Saturday.
Mr Clagett accepted the amendment. The question was then taken. Carried.
Mr McDonald moved an additional Member be appointed on the Select Committee. Lost. The Speaker appointed Messrs Clagett, Brumfield, Heaton & Barclay, on the Committee. Mr Fisher moved Council Bill No 101 An Act to issue Bonds & Coupons be made the special order for 2 P.M. Carried.
Mr Gore moved the House take a recess till 1:30 P.M. — Carried.
At 12:50 P.M. House took a recess.

Afternoon Session.
The House was called to order at 1:30 P.M.
Roll Call — Present Messrs Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Trask, Partridge, Mr Speaker. 21.

Absent Mr Barclay, Lemmon, Unger, 3
Mr Gillespie reports the following House Bill correctly engrossed —
An Act to supply the Town of Carson City with water — Mr Gillespie moved the rules be suspended and the Bill ordered to a third reading — Carried — Third Reading of House Bill No 10 An act to supply Carson City with water — Ayes & noes on final passage of the Bill — Aye Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Heiss, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Lemmon, Trask, Mr Speaker, 22 Nay. None — Bill passed — and the Clerk ordered to transmit the Bill to the Council for its concurrence. The Speaker announced Special orders in order —
Mr Brumfield moved to suspend the rules and that House Bill No 25 be considered with the special order — Carried — Mr Stewart moved to take up House Bill No 109 out of its regular order — Lost — Mr Elliott moved to take up House Bill No 93 — Lost —
Mr Dixson called up House Bill No 41 — The House went into a Committee of the whole on Council Bill No 69 and House Bills Nos 25 & 41 — Mr Dean in the Chair —
Mr Dean reported that the Committee of the whole have had under consideration the Council Bill No 69 "An Act to issue Bonds and Coupons" — have gone through therewith have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage. Report agreed to and the Bill ordered to a third reading.
Mr Dean reported that the Committee of the whole have had under consideration the House Bill No 25 Entitled An Act relating to parties to Civil Action — have gone through therewith — have made

some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage - Report agreed to and Bill ordered Engrossed

Mr Dean reported that the Committee of the whole have had under Consideration the following House Bill No 41 Entitled "An Act to authorize the County Commissioners of Sander Co to Build a Court House & Jail - have made some amendments thereto and have directed their Chairman to report the same to the House and recommend its passage - Report agreed to & Bill ordered Engrossed.

Mr McDonald moved the House go into the Committee of the Whole on General Orders - Mr Elliott moved to take up House Bill No 136. An Act authorizing the decisions of the Supreme Courts to be published and the appointment of a Reporter - Lost -

Mr Gillespie Called up Council Bill No 34 - also Council Bill No 13.

Mr Dixson moved the rules be suspended and House Bill No 58 be considered without printing - Lost -

Mr McDonald Called up up House Bill No 96 - Mr Gillespie moved the Clerk be instructed to make a file of the printed General orders - Carried -

The House went into a Committee of the whole on Council Bill No 34 and 13 & House bills No 96. Mr Dixson in the Chair -

Mr Dixson reported that the Committee of the whole have had under Consideration the Council Bill No 34 Entitled "An Act relating to Toll Road and Bridges in Nevada Territory - have made no amendments to and have directed their Chairman to report the same to the House and recommend its passage - Report agreed to & Bill ordered to a third reading

Mr Dixson reported that the Committee of the Whole have had under consideration Council Bill No 13 Intitled "An Act to regulate proceedings in Civil Cases in the Courts of Justice of the Territory of Nevada" have progressed - and have directed their Chairman to report the same back to the House and recommend it be referred back to the Judiciary Committee Report agreed to & Bill referred to the Committee on Judiciary

Mr Dixson reported that the Committee of the Whole have had under consideration House Bill No 96. Intitled An Act to legalize the Assessment of Real and Personal property as made by the Board of County Commissioners of Lyon & Churchill Counties for the year 1863. have directed their Chairman to report the same back to the House and recommend its passage Report accepted and Bill ordered engrossed.

On leave Mr Dixson Introduced a bill Intitled An Act Concerning the office of Adjutant General - Read first and second time, Referred to the Committee on Claims - Mr Blagett from the Committee on Corporations presented the following report. Your Committee on Corporations to whom was referred House Bill No 128 entitled An Act Amendatory of, and supplementary to an Act to provide for the formation of Corporations for certain purposes approved Dec 20th 1862 - to make amendments thereto beg leave to report that they have amended said bill by striking out the word "Recorder" in the 8th line of the second section and inserting the word "Clerk" in its place. Also by striking out the words "Shall be filed in the 10th line of same section - Also by inserting after the word "Thereof" in the 10th line of same

section the words "under the hand of the Clerk and the seal of the County Court of said County" also by striking out the word "Recorder" in the 5th line of section 7 and inserting the word Clerk in its place

W.H. Clagett Chm'n.

The question was then taken on agreeing to the Report.

Aye Mr Barclay, Calder, Clagett, Curler, Dean, Elliott, Fisher, Gillespie, Gore, Heaton, Hess, Jones, McDonald, Nelson, Stewart, Tennant, Trask, Mr. Speaker — 18.

Nay Mr Brumfield, Dixson, 2.

The Report agreed to —

Mr Brumfield moved the Bill be recommitted to the Committee of the whole —

Aye Mr Brumfield, Dixson, Fisher, Jones, Nelson, Tennant, Trask, 7.

Nay Mr Barclay, Calder, Clagett, Curler, Dean, Elliott, Gillespie, Gore, Heaton, Hess, McDonald, Stewart, Mr Speaker, 13.

So ord. Bill ordered Engrossed —

Council Chamber — Feby 11th

Mr Speaker, Herewith transmit Council Bill No 126 An act for the relief of certain parties. Also Council Bill No 109 An act to incorporate the Austin Christian Association the same having passed the Council this day

Resp — P.G. Clark — Secy C —

Council Bill No 109 An act to incorporate the Austin Christian Association Read first and second time — Referred to the Sandy Delegation —

Council Bill No 126 An act for the relief of certain parties. — Read first and second time and referred to the Committee on Claims —

Mr Elliott moved the House take a recess until 6.30 P.M. — Carried

Evening Session—

House Called to order at 8:30 P.M. — Roll Called —
Present— Mesrs Barclay, Brumfield, Calder, Curler, Dean, Dixon, Elliott, Fisher, Gillespie, Heaton, Hess, Hunter, Jones, McDonald, Phillips, Tennant, Trask, Patridge Mr. Speaker. 19. Absent Messrs Clagett, Gore, Gray, Nelson, Regua, Stewart, Sugar, 7.

The Speaker appointed on the Joint Committee on Salaries of attaches Mesrs Gillespie, Fisher & Jones.

Council Chamber Feby 11th 1864

Mr Speaker, I am with to return to your Hon Body House Bills as follows the same having passed the Council this day—
No 44 An Act to authorize Thos. Rissen and others to construct a Toll Road—
126 An Act to audit the claim of Thos. C. Nye and to provide for the pay of the same
146 An Act providing for a special Term of the District Court in Lyon County—
No 157. An Act allowing J.C. Patridge a per Diem Compensation as a Representative from Rock Co. No 12 An Act for the Relief of Wm Hill Nailigh and S. S. Ward—
No 10 An Act to supply the town of Carson City with water — Substitute for House Bill No 64 An Act to incorporate the City of Virginia — Also Council Bills No 59 An Act to provide for incorporating the Firemens Charitable Fund Association of the City of Virginia — No 115 An Act granting a Franchise for a pleasure Toll Road out of the City of Virginia —
No 119 An Act defining the Salary of the Probate Judge of Mineral Co —
No 58 An Act to exempt Firemen from Militia Service and Jury duty—
No 24 An Act Amendatory of an Act Entitled An Act to Exempt the Homestead

and other property from forced sale in certain cases. No 20 an act authorizing J. S. Mathews and others to establish and maintain a Toll Road. No 85 An act for the relief of D. Isaac Crawford.
No 63. An act defining the salary of the prosecuting atty of Essex Co.
Resp. P. G. Clarke Secy C.
House Bills Nos 44 126 134 + 72 were ordered Enrolled.
Council Bill No 59 An act to provide for incorporating the Firemans Charitable fund association of Virginia City. Read first and second time. Referred to Mess Gillespie, Hagan, + Barclay.
Council Bill No 115 Read first and second time. On motion of Mr Barclay referred to the Virginia portion of the Storey Delegation. Council Bill No 119 an act defining the salary of the Probate Judge of Washoe County. Read first and second time. Referred to the Washoe Delegation.
Council Bill No 58. Read first and second time, Referred to the Committee on Judiciary. Council Bill No 24 Read first and second time. Referred to the Committee on Judiciary.
Council Bill No 20 Read first and second time, Referred to the Committee on Internal Improvements.
Council Bill No 83. Read first and second time. Referred to the Committee on claims.
Council Bill No 63. Read first and second time. Referred to the Esmeralda Delegation.
The Speaker announced General Orders next in order.
Mr Dixon moved Council Bill No 84 be taken up out of the regular order. Carried.
Mr Elliott called up House Bill No 90

Mr Fisher called up House Bill No 79 –
The House went into Committee of the whole on Council Bill No 84 and House Bills No 90 & 79. Mr Elliott in the Chair –
Mr Elliott reported that the Committee of the whole have had under Consideration Council Bill No 84 Entitled an act to supply the town of Austin and Clifton with water have made some amendments thereto and have directed their Chairman to report the same to the house and recommend its passage
Mr Tunnant renewed his motion made in the Committee of the whole striking out the word Exclusive in the first section
Ayes and Noes called for –
Ayes Mesrs Dixson, Elliott, Fisher, Gove, Hess, Hunter, McDonald, Nelson, Phillips, Tunnant, Trask, Mr Speaker. 12 –
Nays Barclay, Calder, Curler, Gillespie, Jones, Stewart – 6.
Carried – Report as amended agreed to – Bill ordered to a third reading –
Mr Dixson gave notice he would move to reconsider –
Mr Elliott reported that the Committee of the whole have had under consideration the House Bill No 79 An Act granting to J.W. Haines and his associates the right to construct and maintain a Toll Road in Douglas and Lyon Counties – have made some amendments thereto and have directed their Chairman to report the same to the House and recommend its passage – Report agreed to, Bill ordered engrossed
Mr Elliott reported that the Committee of the Whole have had under consideration the House Bill No 90 Entitled An Act to Incorporate the Virginia, Gold Hill, Washoe, and

and Carson City Rail Road Company, have made some amendments thereto and have directed their Chairman to report the same to the House and recommend its passage —
Report agreed to. Bill ordered Engrossed.
Reading of General Orders —
Mr Tennant called up House Bill No 40 —
Mr Fisher called up Council Bill No 51 —
Mr Dixson moved to adjourn — Lost —
Mr Gillespie called up House Bill No 59 —
The House went into a Committee of the whole on Council Bill No 51 — and House Bills Nos 40 & 59 —
Mr Fisher in the Chair —
Mr Fisher reported that the Committee of the whole have had under consideration the House Bill No 40 — An act to supply the town of Austin with water — have gone through therewith and have directed their Chairman to report the same back to the House and recommend its passage —
Report agreed to — Bill ordered Engrossed.
Mr Fisher reported that the Committee of the whole have had under consideration the Council Bill No 51 — An act to authorize B. Morton and associates to construct a Toll Road have made some amendments thereto and have directed their Chairman to report the same to the House and recommend its passage —
Report accepted, Bill ordered to a third reading —
Mr Fisher reported that the Committee of the whole have had under consideration House Bill No 59 An act to authorize certain parties to construct and maintain a Toll Road from the town of Austin to a point on the Colorado river above near the Junction of the —

river Virgin with the same — have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage —

Report agreed to. Bill ordered Engrossed.

Mr Fisher moved to adjourn —

Lost. The House then proceeded to Consider General Orders — pending which — Mr Hess moved to adjourn — Carried —

At 9:15 P.M. House adjourned —

Sixty Second Day Morning Session
Friday Feb 12th 1864

Pursuant to adjournment the House was called to order at 10 o'clk A.M.

Upon the Roll being called the following members were present

Mess Barclay, Calder, Carter, Dean, Dixon Elliott, Fisher, Gillespie, Grove, Heaton, Hess, Hunter, Jones, Nelson, Phillips, Stewart, Tennant, Partridge and Mr Speaker 19.

The following were absent

Mess Brumfield, Blagett Gray McDonald Regua, Trask, and Ulgar. — 7.

Prayer by the Chaplain

Minutes of the preceding day read & approved

Mr Speaker announced the first business in order was reports of Standing Committees.

Mr Partridge from the Standing Committee on Engrossment reported that they had carefully compared the following entitled House Bills with the originals as ordered Engrossed and found the same correctly Engrossed. viz:

"An Act providing for the building of a Court House and Gail, for the County of Lyon in the Territory of Nevada" also

"An Act Amendatory of and Supplemental to An Act Entitled An Act to provide for the formation of Corporations

for certain purposes Approved Dec 20 1862
also - "An Act to legalize the assessment of Real and Personal Property as made by the Board of County Commissioners of Lyon and Blundell Counties for the year 1863" also - "An Act relating to parties to civil actions"
Report agreed to and Bills ordered to a third reading
Mr Speaker announced reports of select Committees nett in order
Mr Barclay from select Committee comprising the Virginia portion of the Story Delegation Reported that they have had under consideration "An Act in relation to Justices of the Peace for the City of Virginia and have directed their Chairman to report the same back to the House and recommend its rejection. report agreed to and Bill rejected.
Communication received from Lieut Ives on the Boundary question.
Mr Stewart moved the Communication be printed. Carried.
on leave Mr Fisher from the Committee on Claims presented the following Report
Mr Fisher reported that the Committee on Claims have had under consideration the following House Bills viz:
"An Act to audit the Claim of Wellington Stewart and provide for the payment of the same" also -
"An Act for the relief of A. L. Joachimson" also the following Council Bills - viz:- "An Act for the relief of Certain parties" & "An Act for the relief of Israel Crawford" and have directed their Chairman to report the same back to the House and recommend their passage
Mr Fisher also reported that the Committee on Claims to whom was referred the

Petition of L. E. Crane praying for the payment of Three Hundred & Seventy Five Dollars worth of Carson County Nevada Territory Warrants. have had the same under consideration and have directed their Chairman to report by Bill entitled "An Act to audit the Claim of L. E. Crane and to provide for the payment of the same. Report agreed to and Bill Committed to the Committee of the Whole.

Mr Love from the Washoe Delegation reported as follows. The Washoe Delegation have had under consideration Council Bill No 119. "An Act Affixing the Salary of the Probate Judge of Washoe County" and report favorably upon the same

signed — H. Love. D. E. Hunter

Report agreed to and Bill ~~[illegible]~~ Committed to the Committee of the Whole

Mr Speaker announced. Third reading of Bills next in order.

Council Bill No 101 "An Act to issue Bonds and Coupons" was read a third time and passed. Ayes. Messrs- Barclay. Calder. Cutler. Dean. Dixon. Elliott. Gillespie. Love. Hess. Hunter. Jones. McDonald. Nelson Phillips. Stewart, Tennant, Trask and Mr Speaker - 18 Nays none -

The Clerk was ordered to return the Bill to the Council with a message informing that Body of the House amendments.

"House Bill No 25 "An Act relating to parties to Civil actions" was read a third time and passed Ayes- Messrs. Barclay Calder. Cutler. Dean. Dixon. Elliott. Gillespie. Love. Seaton; Hess. Hunter Jones. McDonald Nelson, Phillips. Tennant. Trask and Ungar. 18- Nays. Mr Speaker - 1 -

The Clerk was ordered to transmit the Bill to the Council for its Concurrence

House Bill No 96.

"An Act to legalize the assessment of

Real and Personal Property as made by the Board of County Commissioners of Lyon and Churchill Counties for the Year 1865" was read a third time and passed Ayes — Mesrs. Barclay. Calder. Dean. Dixson Elliott. Gillespie. Gove. Heaton. Hess. Hunter Jones. McDonald. Nelson. Stewart. Tennant, Trask. Ungar and Mr Speaker — 18 — Nayes — Mr Phillips — 1 —

The Clerk was ordered to transmitt the Bill to the Council for its concurrence.

House Bill No 56 — "An Act providing for the building of a Court House and Jail in the County of Lyon" was read a third time and passed. Ayes. Mesrs Barclay. Calder. Butler. Dean. Dixson. Gillespie Gove. Heaton. Hess. Jones. McDonald. Nelson Phillips. Stewart. Tennant. Trask and Mr Speaker. 17 Nayes — none.

The Clerk was ordered to transmitt the Bill to the Council for its concurrence.

House Bill No 128 "An Act amendatory of and supplemental to an Act to provide for the formation of Corporations for certain purposes." was read a third time and passed. Ayes. Mesrs Barclay, Calder. Butler. Dean. Dixson. Elliott, Gillespie. Gove. Heaton Hess. Hunter. Jones. McDonald. Stewart. Tennant. Trask Ungar and Mr Speaker — 18 Nayes Mesrs — Phillips. and Nelson — 2 —

The Clerk was ordered to transmitt the Bill to the Council for its concurrence.

Council Bill Entitled "An act authorizing B. Morton and associates to construct a Toll Road" was read a third time and passed. Ayes. Mesrs. Calder Dean. Dixson. Elliott. Gillespie. Gove. Heaton Hess. Hunter. Jones. McDonald. Phillips. Stewart. Tennant. Trask. Ungar and Mr Speaker. 17. Nayes Mr Nelson — 1 —

The Clerk was ordered to return

the Bill to the Council with a message informing it of the House amendments.

Council Bill Entitled "An Act relating to Toll Roads and Bridges in Nevada Territory" was read a third time and passed. Ayes. Messrs. Calder, Dean, Dixson, Elliott, Gillespie, Gove, Heaton, Hess, Hunter, Jones, Nelson, Phillips, Stewart, Tennant, Ungar, and Mr Speaker – 16. Nayes. Messrs McDonald & Bask – 2.

The Clerk was ordered to return the same to the Council with a message informing it of the action of the House.

Mr Speaker announced the introduction of Bills next in order.

Mr Ungar introduced a Bill entitled "An Act to incorporate the Virginia and Crystal Peake Rail Road Company" Read first and second time and referred to the Committee on Corporations

On leave without previous notice Mr Stewart introduced a Bill Entitled "An Act to audit the Claim of Frank Perkins and to provide for the payment of the same." Read first and second time and referred to the Committee on Claims.

Mr Speaker announced Motions and resolutions next in order

Mr Dixson moved to reconsider the vote by which the word "Exclusive" was stricken out of the Austin Water Franchise Bill Motion Carried – Ayes. Messrs Barclay Brumfield Calder, Clagett, Butler, Dean Dixson, Gillespie, Gove, Heaton, Jones McDonald, Stewart, Ungar & Mr Speaker – 15 Nayes. Messrs. Hess, Hunter, Nelson, Phillips and Tennant. – 5 –

The question was then taken upon striking out the word "Exclusive". Mr Gillespie moved the previous question, Mr Speaker announced shall the main question be now taken?

Ayes. Messrs Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Gillespie, Gove, Jones, McDonald, Phillips, Stewart, Trask, Ungar & Mr Speaker — 16 Nayes Messrs. Fisher, Heaton, Hess, Hunter, Nelson & Tennant — 6 — Carried

The question was then taken upon Mr Tennant's motion to strike out the word "Exclusive" with the following result

Ayes. Messrs, Brumfield, Fisher, Heaton, Hess, Hunter, Nelson, Phillips, Tennant, & Mr Speaker, 9 — Nayes Messrs Barclay, Calder, Clagett, Cutler, Dean, Dixson, Gillespie, Gove, Jones, McDonald, Stewart, Trask and Ungar, — 13 — Lost.

Mr Stewart moved the Bill be ordered to a third reading. Carried

Council Bill entitled "An Act to supply the Town of Austin with water" was read a third time and passed. Ayes — Messrs. Barclay, Calder, Cutler, Dean, Dixson, Gillespie, Gove, Heaton, Hunter, Jones, McDonald, Stewart, Trask, & Ungar — 14 Nayes — Messrs. Brumfield, Clagett, Fisher, Hess, Nelson, Phillips, Tennant and Mr Speaker, — 8 — ~~Bill Passed~~

Message from the Council

Council Chamber
Feb. 12th 1864

Mr Speaker,

Herewith return to your Hon House Council Bill No 118 the Council having Concurred in some of the amendments made by your Hon House and non-concurring in others, For the amendments made to Sec 2 the Council have substituted as follows, After the word "of" insert "Twenty Five", and in the following lines the words "~~Forty~~ Five Thousand", "Forty Thousand" and add the words "and Fifty Thousand"

within five years from the date thereof. in Sec 3. the Council adheres to the original words "less than the highest rate to be obtained"
Respectfully P. G. Clark Sec Council
Mr Gillespie moved, the House recede from its amendments to Sec 2. Carried
Council amendments to the said section adopted
The House also seceded from its amendments to Sec 5. Mr Heaton moved a reconsideration of the vote by which the Council amendments were concurred in Carried – Mr Barclay moved the Bill be referred to a select Committee of three to report forthwith Carried – Messrs Barclay, Stewart and Gillespie were appointed on said Committee.
On leave Mr Heaton from the Special Committee on Prison Affairs reported the following Bill, Entitled An Act to provide for a Lenitorial Prison, read first and second time.
On motion of Mr McDonald the rules were suspended and the Bill Committed to the Committee of the Whole and ordered printed.
Mr Gillespie from the select Committee presented the following report
Your Committee to whom was committed Council Bill entitled "An Act to issue Bond and Coupons with instructions to amend the same, by inserting in the Proviso Contained in Sec 2, the words "Eighty five" cents on the dollar" in lieu of the words, "a discount greater than ten per cent", have performed that duty and report the Bill back to the House amended in accordance with the instructions, Thos. Barclay Chairman
Wm M. Gillespie, Neil Stewart.
Mr McDonald moved the report be adopted
Ayes, Messrs Barclay, Brimfield, Calder Clagett, Culer, Dean, Dixson, Elliott Fisher, Gillespie Gove, Heaton, Hess,

Hunter, Jones, McDonald, Stewart
Frask, Undas & Mr Speaker — 20 —
Nayes, Mr Nelson — 1 — Carried

The question was taken upon adhering to the House amendments made yesterday lost — Question was then taken upon agreeing to the Council amendments to Sec 2. Ayes, Mesrs, Barclay Calder Culer, Dean, Dixon, Elliott, Fisher Gillispie, Gove, Keaton, Hess, Hunter Jones, McDonald, Frask, & Ungas — 16 Nayes — Mesrs Brumfield, Clagett Nelson Stewart & Mr Speaker — 5 — Carried — House took a recess —

Afternoon Session 1,50 o'clk P.m.

Mr Speaker announced General Orders of the day next in order.

Mr McDonald moved to take up House Bill No 93. On leave Mr Fisher from the Committee on Claims presented the following report.

Mr Fisher from the Committee on Claims to whom was referred "An Act to provide Compensation for Copying, Indexing, and Supervising the printing of the Laws of the Territory passed the first Session of the Legislative Assembly, have had the same under consideration have come to a favorable Conclusion thereon and recommend its passage. report accepted, and Bill made the special order for 6.30 o'clk P.m.

Mr Barclay moved House Bill No 78. "~~An Act describing the duties and powers of the Police Magistrate of Virginia~~" be indefinitely postponed — Carried

Mr Gillespie called up House Bill No 91 — Mr Brumfield called up House Bill No 99. House went into a Committee of the whole upon the three Bills, 93. 91 & 99 —

Mr Gillespie in the Chair —

Mr Gillespie reported that the Committee of the Whole have had under Consideration the House Bill No 99 Intitled an act to amend an act Intitled an act Creating Boards of County Commissioners and defining their duties have directed their Chairman to report the same to the House and recommend its passage.
Report agreed to Bill order Engrossed
Mr Gillespie reported that the Committee of the Whole have had under consideration the House Bill No 91 Intitled an act Concerning Franchise have directed their Chairman to report the same to the House and ask leave to sit again —
Report accepted, Leave granted to sit again
Mr Gillespie Reported that the Committee of the Whole have had under Consideration the House Bill No 93 Intitled an act in relation to Contracts payable in Coin — have progressed — and have directed their Chairman to report the same to the House and ask leave to sit again
Report agreed to, leave granted to sit again
Reading of Usual Orders —
Mr Stewart moved to take up House Bill No 93 — Carried
Mr Gillespie Called up "House Bill No 100 — Also "House Bill No 101 —
The House went into a Committee of the Whole on House Bills 93-100-101 —
Mr Gillespie in the Chair
Mr Gillespie reported that the Committee of the Whole have had under consideration the House Bill No 93 Intitled an act in relation to Contracts payable in Coin — have made some amendments thereto and have directed their Chairman to report the same to the House and

recommend its passage —
Mr Brumfield moved to adjourn till 10 O'clock — Lost.
— Mr Clagett moved the report of the Committee be indefinitely postponed Aye Messrs. Barclay, Calder, Clagett, Phillips, Trask. 5 —
Nay Messrs Brumfield, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Stewart, Tennant, Unger — Mr Speaker — 17. Lost.
Mr Elliott moved the Report together with the Bill be laid on the Table. Aye Mr Curler, Elliott, Fisher, Heaton, Hunter, Nelson, Phillips, Mr Speaker. 8.
Nay Messrs Barclay, Brumfield, Calder, Clagett, Dean, Dixson, Gillespie, Hess, Jones, McDonald, Stewart, Tennant, Trask, Unger. 14 —
Lost. Mr Elliott moved to adjourn till tomorrow at 10 O'Clock — Lost. Mr Elliott removed his motion made in the Committee of the Whole striking out the words in the first section "have heretofore or"
Ayes and Noes called for —
Aye Mr Barclay, Elliott, Fisher, Phillips. 4 Nays Mr Brumfield, Calder, Clagett, Curler, Dean, Dixson, Gillespie, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Stewart, Tennant, Trask, Unger, Mr Speaker. 18. Lost —
Mr Gillespie moved the previous question — Mr Elliott moved to adjourn
The Speaker announced shall the main question be taken — Carried —
The question was taken on agreeing to the report
Aye Mr Brumfield, Dean, Dixson, Elliott, Fisher, Gillespie, Hess, Hunter,

Jones, Mc Donald, Nelson, Stewart, Unger, Mr Speaker, 14. Nay Mr Barclay, Calder, Clagett, Curler, Heaton, Phillips, Tennant, Trask. 8. Report agreed to And Bill ordered Engrossed —

Mr Gillespie reported that the Committee of the Whole have had under Consideration the House Bill No 100 Entitled An Act to provide increased Compensation to the justices of the Supreme Court and other officers in the Territory of Nevada Approved Dec 19th 1862 have made some Amendments thereto and have directed their Chairman to report the same to the House and recommend its passage —

Report agreed to, Bill ordered Engrossed.

On leave Mr Gillespie presented a report — Mr Mc Donald moved it be laid on the Table — Carried —

House took a recess —

Evening Session —

House Called to order at 7 O'Clock —

Mr Tennant ask leave of absence for Mr Cox for this Evening — Granted —

Mr Barclay moved the House go into a Committee of the Whole on the Special Orders —

Mr Elliott asked leave of absence for this Evening — Granted —

The House went into a Committee of the Whole on the special Orders. ~~An Act~~
Mr Phillips in the Chair
Mr Phillips reported that the Committee of the whole have had under Consideration the Council Bill Intitled An Act to provide Compensation for Copying indexing and supervising the printing of the laws of Nevada Territory passed at the first session of the Legislative Assembly have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered to a Third reading.
Mr Barclay moved the rules be suspended and the Bill put on its final passage — Carried —
The question was then taken on the final passage of the Bill —
Aye — Mr Barclay, Calder, Curler, Dean, Dixson, Elliott, Hess, Hunter, Jones, Phillips, Stewart, Tunnant Track, Unger. 14
Nay Wilson, Mr Speaker, 2.
Bill passed —
Mr Dixson from the Sanders Delegation — Your Committee to ~~whom~~ was referred Council Bill No 109 — Intitled An Act to incorporate the Austin Christian Association have the same under Consideration and have directed their Chairman to report the bill back to the House and recommend its passage as amended — Report accepted — Bill Committed to the Committee of the whole, Mr Phillips moved to adjourn Lost — Mr Barclay moved to take up Special Orders — Carried —
Mr Stewart moved to take up House Bill No 109 — Mr Phillips ~~asked~~ ~~leave~~ of absence for this Evening — Granted —

Mr Calder moved to take up Council Bill No 2. Carried — Mr Dixon called up Council Bill No 17.

The House went into a Committee of the Whole on House Bills No 109 & Council Bills 2 & 17.

Mr Fisher in the Chair

Mr Fisher reported that the Committee of the Whole have had under Consideration the House Bill No 109. Intitled An Act for the relief of D. J. Cashin Sheriff of Ormsby County have made no amendments thereto and have directed their Chairman to report the same to the House and recommend its passage, Report agreed to, Bill ordered Engrossed.

Mr Fisher reported that the Committee of the Whole have had the same under Consideration the Council Bill No 2 Intitled An Act granting to Wm Lanning the right to construct a Toll Road — have made some amendments thereto, and have directed their Chairman to report the same to the House and recommend its passage — Report agreed to, Bill ordered to a Third Reading —

~~Report~~ Mr Fisher reported that the Committee of the Whole have had under consideration the Council Bill No 17 Intitled An Act to create and incorporate the Chingo Vale Spring Water Company have gone through therewith and have directed their Chairman to report the same to the House and recommend its passage —

Report agreed to, Bill ordered to a Third Reading —. Mr Brumfield moved to adjourn — Lost —

Reading of Journal Orders —

Mr Demant moved to take up House Bill No 89 — Carried —

Mr Barclay ~~moved~~ to take up Council Bill No 26. Mr Fisher moved to take up Council Bill No 79 — Carried —

The House went into Committee of the whole on Council Bills Nos 79-26 and House Bill No 89 —

Mr Stewart in the Chair —

Mr Stewart reported that the Committee of the whole have had under Consideration the Council Bill No 26, Entitled An Act granting W.G. Albans the right to West Walker River to float logs for five years, have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage —

The question was then taken on agreeing to the report of the Committee —

Aye Mr Barclay, Calder, Curler, Dean, Dixson, Fisher, Gillespie, McDonald, Stewart, Tennant, Trask, Unger, Speaker, 13

Nay Mr Hess, Hunter, Nelson, Phillips, 4 —

Report agreed to — Bill ordered to a Third Reading —

Mr Barclay moved the rules be suspended and the Bill put on its final passage — Carried —

Third Reading of Council Bill No 26 — Vote on the final passage of the Bill — Aye Mr Barclay, Calder, Curler, Dean, Dixson, Fisher, Gillespie, McDonald, Stewart, Tennant Trask, Unger, 12 — Nay Mr Hess Hunter, Nelson, Phillips, Mr Speaker, 5 — Bill passed —

Mr Stewart reported that the Committee of the whole have had under Consideration the House Bill No 89 Entitled An Act Authorizing Thos M Suther his associates and assigns to Construct

a Toll Road, have directed their Chairman to report the same back to the House and recommend its passage Report agreed to – Bill ordered Engrossed –

Mr Stewart reported that the Committee of the whole have had under Consideration the Council Bill No 79. Entitled An Act granting David Olds his associates and assigns the right to construct a Toll Road and Bridge – have made some amendments therein to – and have directed their Chairman to report the same back to the House and recommend its passage – Report agreed to

Mr Stewart moved the rules be suspended and the Bill placed on its final passage – Carried –

Third Reading of Council Bill No 79 – The question was then taken on the final passage of the Bill –

Aye Messrs Barclay, Cutler, Dean, Dixon, Fisher, Gillespie, Hess, Hunter, McDonald, Stewart, Tennant, Trask, Ungar, Mr Speaker. 14.

Nay Mr Nelson, Phillips. 2.

Bill passed – On leave Mr Fisher withdrew Council Bill No 126 An Act for the relief of certain parties –

On leave Mr Calder from the Committee on Internal Improvements presented the following Report –

Mr Calder Reported that the Committee of Internal Improvements have had under Consideration House Bill No 103 Entitled An Act to grant to J.P. Martin and others the right to construct a Toll Road have directed their Chairman to report the Bill back to the House –

On Motion of Mr Gillespie the Bill was referred to the Committee of the Whole –

Mr Calder reported that the Committee on Internal Improvements have had under consideration Council Bill No 92 — Entitled an act authorizing S. Strine and others the right to construct a Toll Road & Bridge — have directed their Chairman to report the Bill to the House

On Motion of Mr Gillespie referred to the Committee of the Whole

Mr Calder reported that the Committee on Internal Improvements have had under Consideration Council Bill No 90 Entitled an act to authorize A.C. Satson and James Satson to construct a Toll Road have directed their Chairman to report the same to the House — On Motion of Mr Gillespie Committed to the Committee of the Whole.

Mr Gillespie moved the report on the Council Bill No 59 be taken from the Table Carried —

Mr Gillespie reported that the select Committee comprising Messrs Gillespie. Barclay. and Mugar. have had under Consideration Council Bill No 59 Entitled an Act to provide for incorporating the Firemans Charitable Association of the City of Virginia — have come to a favorable Conclusion thereon & have directed their Chairman to report the Bill to the House and recommend its passage —

The Bill was committed to the Committee of the whole —

Mr Curler moved to adjourn — Carried — House adjourned —

Thirty Third Day —

Saturday Feby. 13th 1864 —

House met Pursuant to adjournment

Roll Called — Present

Mesrs Barclay, Brumfield, Calder, Clagett, Curler, Dixson, Elliott, Fisher, Gore, Heaton, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Partridge, Mr Speaker. 20 —

Absent Mr Dean, Gillespie, Gray, Hess, Pugna, Mugar. 6.

Prayer by the Chaplain

Journal Read and approved

Report of Standing Committee first in Order.

Mr Dixson presented the following Report

Your Committee on Colleges and Common Schools to whom was referred House Bill No 27, entitled an act ~~Supplem~~ entitled ~~and an~~ and amendatory of an act providing for the establishing a seminary of learning at Carson City, have with Report that they have had the same under consideration and have directed their Chairman to report a substitute Bill entitled an act for the Establishment and support of the Nevada Seminary and Polytechnic College in the Territory of Nevada Alleg which is Respectfully submitted

E. C. Dixson Chm —

Mr McDonald moved the report be laid on the Table — Ayes & Noes —

Aye Mesrs Elliott, McDonald, Nelson, Trask & Mr Speaker — 5

Nay Mr Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Fisher, Gore, Heaton, Hess, Hunter, Jones, Phillips, Stewart, Tennant, and Mugar. 19 Lost —

Mr Clagett moved the report be rejected Lost —

Report agreed to by the following Vote — Aye Mess Barclay, Brimfield, Calder, Curlee, Dixson, Fisher, Gillespie, Gore, Hunter, Jones, Phillips, Stewart, Tennant, Ungar. 14

Nay Mr Clagett, Dean, Elliott, Newton, Messrs McDonald, Nelson, Trask, Mr Speaker, 9

The Substitute bill ordered printed and committed to the Committee of the Whole — Mr Tennant from the Committee on Enrollment reports that the Standing Committee on Enrollment have carefully compared the following Entitled House Bill with the Engrossed Bill and found the same Correctly Enrolled — An Act in Relation to Probate Judges in Certain Counties of the Territory —

Thos. J. Tennant Chm

Bill ordered transmitted to the Governor — Mr Gore reports that the Standing Committee on Engrossment have carefully compared the following Entitled House Bills with the original as ordered Engrossed and found the same Correctly Engrossed "Viz" "House Bill No 41 An Act to authorize the County Commissioners of Lander County to provide means to build a Court House and Gaol also an Act to authorize Certain persons to Construct and maintain a Toll Road — from the town of Austin in Lander Co — to a point on the Colorado River — at or near the junction of the Rio Virgen with the same — also An Act to supply the town of Austin in the Co of Lander with water and to protect the town against fire — Also an Act granting G. W. Hains and his associates their heirs and

assigns the right to construct a Toll Road in Lyon and Douglas Counties Report accepted and Bills ordered to a third reading —

Mr Partridge reports that the Standing Committee on Ingrossment have carefully compared the following entitled House Bills with the original as ordered Ingrossed and found the same correctly Ingrossed "Viz" An Act to incorporate the Virginia Gold Hill and Carson City Rail Road Company — also Substitute for House Bill 109 — An Act for the relief of D. B. Cashman Sheriff of Ormsby Co — Also An Act in relation to Contracts payable in Coin — Report accepted and Bills ordered to a third reading —

Mr Clagett Reported that the Select Committee composed of the Humboldt Co Delegation have had under consideration Council Bill No 67. Entitled An Act granting to certain parties the right to Construct a Toll Bridge — across Humboldt River in Humboldt Co — have made some amendments thereto — and report the same back to the House and recommend its passage as amended — Report agreed to and Bill committed to the Committee of the whole —

Mr Barclay reported that the Select Committee composed of the Virginia Delegation have had under consideration House Bill No 42 Entitled An Act in relation to Constables in the City of Virginia — have directed their Chairman to Report the Bill back to the House and recommend its rejection —

Report agreed to and Bill rejected.

Mr Hess reported that the Esmeralda Delegation have had under consideration Council Bill No 63. Entitled An Act defining the Salary of the Prosecuting Attys of Esmeralda and Lyon Counties. have amended the same and have directed their Chairman to report favorably and recommend its passage as amended.

Report agreed to and Bill Committed to the Committee of the Whole.

Mr Brumfield reported that the Committee on Judiciary have had under consideration Council Bill No 83. Entitled An Act to amend An Act Entitled An Act to regulate proceedings in Courts of Justice in this Territory have made some amendments thereto and have directed their Chairman to report the Bill to the house and recommend its passage.

Report agreed to.

Mr Elliott moved the bill be made the special order for Monday a 2 o'clock P.M. Carried.

Mr Brumfield reported that the Committee on Judiciary have had under consideration House Bill No 111. An Act to amend an Act Entitled An Act relating to Marriage and divorce have made some amendments thereto have directed their Chairman to report the same back to the House and recommend its passage.

Report agreed to, and Bill Committed to the Committee of the Whole and ordered printed.

Mr Brumfield reported that

The Committee on Judiciary have had under consideration Council Bill No 128. An Act for the relief of Insolvent debtors, and for the protection of Creditors, have directed their Chairman to report the same back to the House and recommend its rejection — The Report agreed to. Bill Rejected —

Mr Brumfield reported that the Committee on Judiciary have had under Consideration Council Bill No 58 An Act to exempt Firemen from Militia Duty and Jury duty, have made some amendments thereto and directed their Chairman to report the Bill back to the House and recommend its passage — Report agreed to and Bill Committed to the Committee of the whole —

Mr Brumfield reported that the Committee on Judiciary have had under consideration Council Bill No 574 An Act amendatory of an Act Intitled Act to provide for the Election of Probate Judges and Prosecuting Attorneys and defining their duties Approved Dec 19th 1862 have made no amendments and directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill Committed to the Committee of the whole.

Mr Brumfield reported that the Committee on Judiciary have had under consideration Council Bill No 62 An Act to provide for the proof or Conveyance of Mining Claims prior to the 12th day of December 1862 — have made no amendments and directed their Chairman to report the same back to the House and recommend its passage — Report agreed to —

and Bill committed to the Committee of the whole

Mr Brumfield Reported that the Committee on Judiciary have had under consideration Council Bill No 24 An act to amend an act Entitled an act to Exempt the Home Stead and other property from forced sale in certain cases — and directed their Chairman to report the same back to the House and recommend its indefinite postponement —

Report agreed to. And Bill indefinitely postponed —

Mr Claytt from the Committee on conference appointed to Confer with a Committee appointed by the council — Concerning the amendments made by the Council — to House Bill No 57 Entitled An Act authorizing Ministerial Officers to appoint Deputies report that said Conference Committee have agreed to amend the Council amendments to section one of said act by adding the words "Sheriffs Assessors Collectors of Taxes and Constables" and directed him to report the bill as amended back to the House and recommend its passage

Report agreed to by the following Vote — Aye Mesrs Brumfield. Calder. Claytt. ~~Carlon~~. Dean. Dixson. Elliott. Fisher. Gillespie. Goor. Healan Hess. Hunter. Jones. McDonald. Nelson. Stewart C. Tennant. Trask. Nugar. Mr Speaker. 20

Nay — Mr Phillips — 1 — Carried

Message from the Council —

Council Chamber Feby 12th 1864

Mr Speaker — I herewith return House Bill No 63 An Act to incorporate the Virginia City and Dayton

railroad Company the same having been indefinitely postponed by the Council — S. G. Clark Secy Council

Council Chamber Feby 12 1864

Mr Speaker — Sherwith return to your Hon House the following Bills the same having passed the Council —

Council Bill No 64 An act amendatory of and supplemental to an act establishing a Common School system for the Territory of Nevada —

Also House Bill No 112 An act amendatory of and supplemental to an act entitled An act granted Moses Job and Emanuel Penrod and others the right to construct and maintain a Toll Road — Also House Substitute for Council Bill No 21 — An act amendatory of an act to amend an act entitled An act establishing a Common school system for the Territory of Nevada approved Nov 29" 1861 — Approved Dec 20" 1862 —

Also Council Bill No 147 An act granting to L. B. Moore — and others to maintain a Toll Road — Resp Sd. G. Clark Secy —

House Bills No 112 an 21 were ordered Enrolled. (Council Bill No 64 transmitted by mistake) Council Bill No 147, "An Act granting to L. B. Moore his associates and assigns the right to construct and maintain a Toll Road — read first and second time and referred to the Committee On Internal Improvements

Mr Speaker announced notice of Introduction of Bills next in order

Mr Blagett gives notice that he will at some future day ask leave to introduce a Bill entitled "An Act to remove the Capital of Nevada Territory to Virginia City in Storey County" Mr Weatherford from the special Joint Committee on Revenue presented the following Report —

We the undersigned members of the Joint Committee of both Houses of the Legislative Assembly of the Territory of Nevada to whom was referred the Revenue bill with instructions to report a bill taxing all property equally including the Mines beg leave to make the following Report. We have been unable to make a unanimous Report. Therefore we are unable to report a bill touching the Manner of Taxation — The Committee agree (except one) that it is practible and just to raise revenue from the Mines but what kind of Policy shall be adopted to raise said Revenue cannot be determined by your Committee. Therefore we the undersigned in accordance with our views and your instructions report the following Bill as a substitute for the original bill reported by the Committee on Ways & Means

M. Keaton, R. M. Daggett O. H. Sturtevant
W. H. Brumfield

We concur in the above report so far as the above states the inability of the joint Committee to come to any Conclusion as to the mode in which Revenue shall be raised from the Mines but do not concur in that portion of the report that states that the Committee agreed that it was practicable and just to raise Revenue from the Mines, that is to say by taxing the mining claim itself as property and embracing all mines and mining claims productive and nonproductive, developed and undeveloped — as in contemplation in the Resolution instructing the joint Committee as to the character of the Bill they should report

We further take this occasion to state that in our judgement such a —

Course as that last above mentioned is both impracticable and unjust and in direct contravention of the wishes of the people of this Territory as expressed at the last Election. We would recommend that a Revenue be raised from the mines by a light Tax on the gross proceeds of all mines and mining claims in the Territory with such amendments to our present Revenue law as will make such tax uniform with the rate of Taxation on other property with such further amendments to said law as will secure the collection of said Tax —

Jno. H. Clagett — Thos Barclay —

Report agreed to —

Mr Clagett moved to take a recess carried at 12:30 P.m. House took a Recess —

Afternoon Session —

House in session —

Message from the Council

Council Chamber July 13th 1863

Mr Speaker — I herewith return to your Hon Body House Bills Nos 56. 96. & 149 No 56 An act to provide for the building of a Court House and Jail for the County of Lyon —

96 An act to legalize the assessment of Real and personal property as made by the Board of County Commissioners of Lyon & Churchill Counties for the year 1863 —

149 An act to provide increased compensation to the Governor of the Territory. These Bills having passed the Council this day are herewith returned — P. L. Clark Secy

The Bills were ordered Enrolled —

Message from the Council —

Mr Gillespie moved the House proceed to third reading of Bills as soon as the message was considered — Carried —

Mr Heaton moved the Special Order be postponed till Monday and placed at the head of the Calendar of unfinished Business — Carried —

Council Chamber Feby 13th 1864

Mr. Speaker — I have the honor to transmit to your Hon Body the following Council Bills "F.Z."

No 53, An Act to provide increased Compensation to the Territorial Auditor —

No 60, An Act to regulate the Fire department of Virginia City —

No 114, An Act authorizing Chattel Mortgages —

No 117 — An Act relating to the duties of County Recorders in certain Counties.

No 118 An Act amendatory of an Act authorizing A.W. Nightingale and F. E. Ayres to construct a Toll Road Bridges & Ferries Approved Dec 12th 1862.

No 120 An Act to provide for an additional justice of the Peace — for Precinct No 1 Esmeralda Co —

No 128 An Act to provide increased Compensation for the Territorial printing

No 143 An Act to provide the several County Clerks of the Territory with a seal

All of which have been passed this day

Respy A. Whitford. Ass't Secy

Council Bill No 53 Read first and second time — Mr Gillespie moved the rules be suspended and the Bill ordered to a third reading — Lost

On motion of Mr McDonald Bill referred to Committee of the whole —

Council Bill No 60, Read first and second time and Referred — to Messrs Gillespie, Fuqua, & Barclay —

Council Bill No 114 — Read first and

second time, & Referred to the Committee on Judiciary. Council Bill No 117 — Read first & second time and referred to the Committee on Judiciary — Council Bill No 118. Read first and second time and referred to the Washoe and Humboldt delegation — Council No 120. Read first and second time and referred to the Esmeralda Delegation — Council Bill No 128. Read first and second time and upon Motion of Mr Fisher rules suspended and Bill ordered to a third reading — Council Bill No 143 Read first and second time and referred to the Committee on Judiciary —

The Speaker announced Third reading of Bills next in order —

Third reading of Council Bill No 2. An act granting Wm Gannong the right to construct a Toll Road

Shall the Bill pass —

Ayes Messrs Barclay, Brumfield, Clagett, Curler, Dixon, Elliott, Fisher, Gillespie, Love, Heaton, Hess, Hunter, Jones, McDonald, Stewart, Frack, 16.

Nays Nelson, Phillips, Tunnant 3 —

So the Bill passed —

Third reading of Council Bill No 17 An act to create and incorporate the Chrystal Spring Water Company —

Shall the Bill pass —

Ayes Messrs Barclay, Brumfield, Clagett, Curler, Dixon, Elliott, Fisher, Gillespie, Love, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tunnant, Frack, Nugan, & Mr Speaker. 21 —

Nays, None. So the Bill passed —

Third reading of House Bill No 140 An act to supply the City of Austin with water —

Shall the Bill pass —

Ayes Messrs Brumfield, Carlin, Fisher, Grove, Heaton, Jones, Nelson, Phillips, Tennant, Trask & Mr Speaker 11 —
Nays Messrs Barclay, Clagett, Dixon, Elliott, Gillespie, Hess, Hunter, McDonald, Stewart, and Unger; — 10 —
So the Bill passed —
Third Reading of House Bill No 59. An act to authorize Certain parties to construct a Toll Road from the town of Austin in Sander Co. to the Colarado River at or near the junction of the Rio Virgin with the same — Shall the Bill pass —
Ayes Messrs Barclay, Brumfield, Dixon, Elliott, Fisher, Gillespie, Grove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Unger & Mr Speaker 20
Nay. None. So the Bill passed —
Third Reading of House Bill No 79. An act granting Dw. Nairns and Associates and assigns the right to construct and maintain a Toll Road in Douglas and Lyon Counties — Shall the Bill pass —
Ayes Messrs Barclay, Carlin, Dixon, Elliott, Fisher, Gillespie, Grove, Heaton, Hess, Hunter, McDonald, Nelson, Tennant, Trask, Unger — 15 Nay Mr Brumfield, Clagett, Jones, Phillips, Stewart, Mr Speaker 6
So the Bill passed —
Third reading of House Bill

No 93 An act in relation to Contracts Payable in Coin — Mr Elliott moved the Bill be laid on the Table —
Ayes & noes called for with the following results
Aye Messrs Barclay Brumfield Clagett Curler Dixon Elliott Fisher Heaton Hess Hunter Nelson Phillips Tennant Trask Ungar. 15 Nays Mssrs Gillespie Gove Jones McDonald Stewart Mr Speaker 6.
Carried The Bill was laid on the Table
Third Reading of House Bill No 109 An act for the Relief of D. J. Gashwin
Mr Clagett moved the Bill be laid on the Table. Ayes and noes with the following Result — Aye Mssrs Clagett Elliott Hess Hunter Nelson Trask Mr Speaker 7 —
Nays Mssrs Barclay Brumfield Curler Dixon Fisher Gillespie Gove Heaton Jones McDonald Phillips Stewart Tennant Ungar. 14. Lost —
The question was then taken on the final passage of the Bill —
Aye Mssrs Barclay Brumfield, Curler Dixon Fisher Gillespie Gove Heaton Jones McDonald Phillips Stewart Tennant Trask Ungar. 15.
Nay Mssrs Clagett Elliott Hess Hunter Nelson Mr Speaker 6. Bill passed —
Third reading of House Bill No 90 An act to incorporate the Virginia Gold Hill Washoe and Carson City Rail Road Company — Mr Barclay moved the Bill be laid on the Table — Lost
Shall the Bill pass — Aye Mssrs Brumfield Dixon Elliott Gillespie Gove Heaton Hess Phillips Stewart Tennant Ungar — 11. Nay Mssrs Barclay Clagett Fisher Hunter Jones McDonald Nelson Trask Mr Speaker. 9.
Bill passed —
Third reading of Council Bill No 128 An act to provide

increased compensation for Territorial printing — Shall the Bill pass — Aye Messrs Barclay Clagett Dixon Elliott Fisher Gillespie Grove Heaton Hess Hunter McDonald Phillips Stewart Tennant Trask Wagar Mr Speaker — 17 —
Nay Messrs Brumfield Jones. Nelson. 3
So the Bill passed —

Mr Barclay offered the following Resolution —
Resolved that the Enrolling Clerk be allowed to employ assistants — Carried —

Mr Gillespie from the Select Committee comprising the Virginia portion of the Storey Delegation presented the following report —

Mr Speaker, Your Committee comprising the Virginia portion of the Storey County Delegation to which was referred the Council Bill Entitled An Act granting a franchise for a Pleasure Toll Road out of the City of Virginia report that they have had the same under consideration, have come to a favorable conclusion thereon — and report the same back to the House and recommend its passage with the following amendment — viz —

In the second line of the 6th Sec — strike out the word "authorized" and insert in lieu thereof the word "Required" — In the eleventh line of Sec — one between the word "Grade" and about insert the words "at the Toll Gate on said road" —

In 4th line of the fifth Sec — between the words "aforesaid" and "shall" insert the following words viz "or over the Toll Road which the Road granted herein intersects or any part thereof of Excepting the intersection —

of the same without saying "the toll prescribed by law on said Road"
In the "C" line of sect 4 insert between the words "County" and "provided" the words "and are hereby required to issue tickets therefor"
Add to section 6 after the words "Road" "otherwise this franchise to be null and void"
All of which is Resp Submitted
Wm M Gillespie. Warren Heaton, A.B. Elliott
The question was taken on agreeing to the report —
Ayes Messrs Brumfield, Dixon Elliott Fisher Gillespie Lowe Heaton Hess Hunter Jones McDonald Phillips Stewart Tennant Trask McSpeaker — 16
Nay Mr Barclay Clagett Nelson Unger. 4
Carried — The Bill was committed to the Committee of the whole and ordered printed at the Expense of the grantees — Mr Phillips moved the House adjourn till 10 o'clock. Monday Carried.

Thirty fifth Day.

Monday Feby 15th 1864

House met pursuant to adjournment Roll Called — Present — Messrs Brumfield Clagett Carter Dixon Elliott Lowe Hess Hunter Jones Stewart Tennant Trask Patridge Mr Speaker. 14
Absent — Messrs Barclay Calder Dean Gillespie Heaton McDonald Nelson Phillips Unger. 9. Excused Mr Fisher.
Mr Clagett asked indefinite leave of absence for Mr Fisher — Granted
Prayer by the Chaplain —
Journal of the preceding day read and approved —
The Speaker announced Reports of Standing Committees next in order.

Mr Curler reported that the Committee on Internal Improvements have had under Consideration Council Bill No 147 entitled An Act granting S. B. Moore and his associates the right to construct a Toll Road have come to a favorable Conclusion thereon and have directed their Chairman to report the Bill Back to the House and recommend its passage Report accepted Bill Committed to the Committee of the whole and ordered printed —

Mr Brumfield from the Committee on the Judiciary have had under Consideration the Council Bill No 114 An Act relating to Chattel Mortgages have directed their Chairman to report the same to the House and recommend its passage Report accepted Bill was committed to the Committee of the whole

Mr Brumfield reported that the Judiciary Committee have had under Consideration Council Bill No 143 "An Act to provide the several County Clerks of the Territory with a seal" have made some amendments, and have directed their Chairman to report the same, to the House and recommend its passage Report agreed to and Bill committed to the Committee of the whole.

Mr Tennant from the Committee on Enrollment presented the following Report —

Mr Speaker reports that the Standing Committee on Enrollment have carefully compared the following Entitled House Bills on the Thirteenth Engrossed bills as passed by the two House and found the same Cor-

rectly enrolled "Nz" No 88 —
An Act for the relief of E.B. Neil —
No 92 An Act for the relief of Mrs Hill
Nailigh and John Sward of Roop County —
No 35 An Act for the relief of Michael
Kelley Constable of Carson City Ormsby Co —
No 44 An Act to authorize Thos Nie-
dun his associates and assigns to
keep and maintain a Toll Road —
No 149 An Act to provide increased Compen-
sation to the Governor of this Territory.
No 146 An Act to provide for a Special
term of the District Court in Lyon Co —
No 96 An Act to legalize the assessment
of Real and personal property in the
Counties of Lyon & Churchill —
No 28 An Act amendatory of an Act
Entitled an Act defining the Judicial
Districts fixing the terms of the Su-
preme and District Courts of the
Territory Locating the County seats
of the several Counties of the Territory
and providing for the transfer and
trial of actions, Approved Nov 29" 1861 —

Thos J. Tennant Chrm

The Bills were ordered transmitted to
the Governor for his approval —

Mr Gillespie reported that
the select Committee comprising
Messrs Gillespie Barclay and Ringer
to whom was referred Council Bill
entitled an Act to regulate the
Fire Department of the City of Virgi-
nia have had the same under
Consideration have come to a
favorable Conclusion thereon and
directed their Chairman to report
the Bill back to the House without
amendment and recommend its
passage — Report agreed to —
and Bill Committed to Committee of
the whole —

Mr Tunnant reports that the Standing Committee on Enrolled Acts have carefully compared the following entitled House Bill with the engrossed Bill as passed by the two houses and found the same correctly enrolled "viz"
"No 150 An act allowing D. C. Partridge a per Diem Compensation as Representative from Rock County"
Report agreed to and Bill ordered transmitted to the Governor for his approval —
Mr Speaker announced Introduction of Bills next in order —
Mr Dixon introduced a Bill entitled An Act authorizing L B Martinau and A. B. Calder to construct and maintain a Toll Road — Read first and second time and referred to the Committee on Internal Improvements —
Mr Speaker announced unfinished Business next in order —
Mr Brumfield moved the rules be suspended and Council Bill No 83 be taken up out of its order — Carried —
Mr Clagett moved to take up House Bill No 131 out of its regular order — Carried —
Mr Hess moved to take up House Bill No 156, out of its regular order — Carried —
The House went into Committee of the whole on Council Bill No 83 and House Bills No 131 & 156.
Mr Tunnant in the Chair —
Mr Tunnant reported that the Committee of the whole have had under consideration Council Bill No 83 Entitled an act to incorporate —

an act entitled an act to regulate proceedings in Civil Cases in Courts of justice have gone through herewith have made some amendments thereto and directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered to a third Reading

Mr Lemaux reported that the Committee of the whole have had under consideration House Bill No 131 entitled an act to amend an act entitled an act to provide for the election of Probate Judges and prosecuting attorneys and defining their duties &c & recommend the same be made some amendments to thereto and directed their Chairman to report the same back to the House and recommend its passage — Report agreed to — Bill ordered engrossed.

Mr Lemaux reported that the Committee of the whole have had under consideration House Bill No 156. Entitled an act to increase the salary of the Probate Judge of Genesee Co — and have directed their Chairman to report the same back to the House and recommend its passage. Report agreed to —

Mr Gillespie moved that the Bill be recommitted to the Attorney and counsel Delegations with instructions to report the Bill complete including the Probate Judge of Ottawa Co — four thousand dollars annually. Lost, Bill ordered engrossed —

Mr Lemaux reports that the Standing Committee on Enrollment have carefully compared the following Enrolled House Bills with the engrossed Bills as passed by the two Houses —

and found the same correctly enrolled
"1" "2" No 2 An act for the Relief of Nason
and Huff. No 10 An act to supply the
town of Carson City with water —
No 126 An act to audit the Claim of
Thos. B. Nye. and provide for the Payment
of the same — No 121 An act amenda-
tory of an act extending the Juris-
diction of the Probate Courts of this
Territory. No 13 An act prescribing
the Manner of Commencing and Main-
taining actions by or against Counties
Report accepted and Bills ordered
transmitted to the Governor —
Mr Dean Moved the House
take a recess till 2:30 P.M. —

Afternoon Session —

House called to order at 2:30 P.M. —
Mr Speaker announced
the Hour had arrived when the House
should Consider Special Orders —
Mr Dixson Moved a call of
the House — Carried —
Chief of the absentees was given
to the Sergeant at arms —
Mr Dean was announced
Came forward and made his excuse —
Mr Hunter moved he be
excused — Carried —
Mr Partridge was announced
Came forward, and was excused —
Mr Gillespie was announced
Came forward and was excused —
Mr Barclay moved all
further proceedings under the Call
be dispensed with — Carried —
House went into Committee
of the Whole on Special orders
Mr Dixson in the Chair —
Mr Dixson reported that
the Committee of the whole have had

under Consideration House Bill entitled an act Amendatory of and Supplemental to an act entitled an act to amend and supplemental to an act to provide for assessing and collecting Territorial and County Revenue approved Dec 20 1862 — have progressed and have directed their Chairman to report the same back to the House and ask leave to sit again — Report agreed to leave granted —

Mr Clagett moved the Amendments to the Revenue Bill offered by him be printed — Carried —

On leave Mr Hess without previous notice Introduced a Bill entitled an act to repeal an act to authorize the County Commissioners of Esmeralda Co to procure Books for the transfer of Records and Indexes of Mono Co = California —

Read first and second time and referred to the Esmeralda Delegation —

On Motion of Mr Dean Council Bill No 50 — an act Amendatory of and supplemental to an act entitled an act to incorporate the Washoe agricultural Mining and Mechanical Society — was referred to the Committee on agriculture —

Mr Dixon moved the House take a Recess till 7 O'clock P. M — Carried —

Evening Session —

House Called to order at 7 P. M.

Mr Vermont moved to take up Council Bill No 124 — out of its Regular order — Carried —

Mr Nugar moved to take up House Bill No 103 out of its Regular order — Carried —

On Motion Ordered to take up House Bill No 106 out of its Regular order. Terms

In House went into Committee of the Whole on Council Bill 147 and House Bill Nos 103 & 106.

Mr Phillips in the Chair —

Mr Phillips reported that the Committee of the whole have had under Consideration the Council Bill No 147 entitled Granting to L B Moore his associates and assigns the right to construct and maintain a Toll Road thereon through Therewith and directed their Chairman to report the same to the House and Recommend its passage —

Report agreed to and Bill ordered to a Third reading —

Mr Phillips reported that the Committee of the Whole have had under consideration House Bill No 103 Entitled An Act to grant to J.P. Martin and others the Right to Construct and maintain a Toll Road have made some amendments thereto and directed their Chairman to report the same back to the House and recommend its passage

Report agreed to and Bill ordered Engrossed —

Mr Phillips reported that the Committee of the whole have had under Consideration House Bill No 106. Entitled An Act to grant Wm. T. Kingsbury and others the right to construct and maintain a Toll Road — in Cook Co — have made some amendments and directed their Chairman to report the same back to the House and recommend its passage — Report agreed to — and Bill ordered Engrossed

Mr Dixon moved the rule be suspended and Council Bill No 147 be ordered

to a third reading forthwith — Lost.
Mr Heaton moved to take up Council Bill No 113 — An act granting a pleasure Toll Road and of the City of Virginia and of its Regular Order — Lost.
Mr Clagett moved the House go into a Committee of the whole on the Calendar — Carried.
Mr Phillips in the Chair —
House went into Committee of the whole on Council Bill No 33, House Bills No 94 — No 110 — No 92 No 105 — No 123 —
Mr Phillips: Reported that the Committee of the whole have had under Consideration House Bill No 94 Entitled An Act authorizing Certain Parties to Construct a Toll Road from Dayton to Palmyra & Comes have gone through therewith — and directed their Chairman to report the same to the house and recommend its passage — Mr McDonald: Renewed his motion made in the Committee of the whole striking out the 4. sec" Carried Report agreed to and Bill ordered engrossed — Mr Phillips reported that the Committee of the whole have had under consideration Council Bill No 2 Entitled An Act granting J.M. Forsyth and associates the right to supply the town of Annapolis and Ccoul City with water have made some amendments thereto and directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered Engrossed.
Mr Phillips Reported that the Committee of the whole have had under Consideration House Bill No 110 Entitled An Act authorizing Alexander

Ask his associates and assigns to construct and maintain a Toll Road have made some amendments thereto and directed their Chairman to report the same back to the House and recommend its passage.

Mr McDonald removed his motions made in the Committee of the whole striking out the word "Labor" and insert "Bigler" Ayes & Nays Aye Mr Brumfield Clagett Curler Lowe Miss McDonald Lamont Mr Speaker. 8 Nay — Mr. Barclay. Calder. Dixson. Gillespie. Heaton. Hunter. ~~McDonald~~ Phillips. Stewart. Trask. Wagar. Jones 12 Lost — Report of the Committee agreed to and Bill ordered Engrossed —

Mr Phillips reported that the Committee of the whole have had under consideration the House Bill No 92 Entitled an act authorizing E Dexter & L. W. Dexter. and J. M. Baldwin to construct a Toll Road in Esmeralda Co have made some amendments thereto and have directed their Chairman to report the same to the House and recommend its passage. Report agreed to and Bill ordered Engrossed.

Mr Phillips reported that the Committee of the whole have had under consideration House Bill 105 Entitled an act granting Moses P. Hayes his heirs and associates and assigns to construct a Toll Road from Clifton to Amador via Pizarro City: have made some amendments thereto and directed their Chairman to report the same back to the House and recommend its passage —

Report agreed to and Bill ordered engrossed — Mr Phillips Reported that the Committee of the whole have had under Consideration House Bill No 123 Entitled An act to supply the town of Dayton with water and to protect the town against fire and define the Boundaries thereof — have made some amendments thereto and have directed their Chairman to Report the same back to the House and recommend its passage — Mr Lemaut removed his motion made in the Committee of the whole striking out the word exclusive in the first section —

Ayes & Noes —

Ayes Mypers Brumfield Clagett Cox Heaton Hess Hunter Nelson Phillips Lemaut & Mr Speaker — 11 —

Nays Mypers Barclay Calder Curlin Dixon Gillispie Jones McDonald Stewart Trask Ungar — 10 —

So so. Report agreed to Bill ordered Engrossed —

Mr Clagett moved to adjourn Carried —

Thirty Sixth Day

Tuesday Feby 16th 1864

House met pursuant to adjournment at 10 o'clock A.M. —

Roll Call — present Mypers Brumfield Calder Clagett Dean Elliott Gillespie Jones Heaton Hess Hunter Jones McDonald Nelson Phillips Trask Partridge & Mr Speaker. 17 —

Absent Mypers Barclay Curlin Dixon Regua Stewart Lemaut & Ungar — 7 —

Prayer by the Chaplain —

Journal of the preceding day Read and approved — Mr Speaker announced Reports of Standing Committee next in order — Mr Tennant reports that the Standing Committee on Enrollment has transmitted to His Excellency the Governor the following Entitled House Bills for his approval. this 15 day of Feby 1862

No 2 an act for the Relief of Mason & Huff
No 10 an act to supply Virginia City with water
No 12 an act to audit the Claim of Thos Kyle and provide for the Payment of the same
No 28 an act amendatory of an act defining the Judicial Districts fixing the terms of the Supreme and District Courts of the Territory locating the Co seats of the several Counties of the Territory and providing for the transfer and trial of actions approved Nov 29 1861 — No 15 an act prescribing the manner of commencing and maintaining actions by or against Counties —
No 88 an act for the relief of E.B. Rail —
No 92 an act for the Relief of Wm H. Nailigh and John Alward for service in Roop Co
No 38 an act for the relief of Michael Kelley Constable of Carson City Ormsby Co —
No 44 an act to authorize Thos Kinsen his associates and assigns the right to keep and maintain a toll Road
No 149 an act to provide increased compensation to the Governor of this Territory
No 146 an act to provide for a Special Term of the District Court in Lyon Co —
No 96 an act to legalize the assessment of Real and personal property of Lyon & Churchill Counties
No 121 an act amendatory of an act entitled an act extending the jurisdiction of the Probate Courts of this Territory
No 150 an act allowing J.C. Patrick a per Diem Compensation as Rep —

execution from Roop County
No 83 An Act in relation to Probate
Judges in certain Counties of the Territory
No 8 An Act to create the County of Nye
No 16 an act to incorporate the City of
Star in the County of Humboldt
Mr Partridge reports that the
Standing Committee on Engrossment have
carefully compared the following enrolled
House Bills with the original as ordered
Engrossed and found the same Correctly
engrossed — "No 3" "An Act Entitled An
Act to amend an Act to provide increas-
ed compensation to justices of the
Supreme Court and other officers in
the Territory of Nevada — Approved
Dec 19" 1862". "An Act to amend an
act entitled an act creating Boards
of County Commissioners — and defining
their duties" "An Act to amend an act
entitled an act relating to wild game
and fish. Approved Nov 21st 1861"
"An Act authorizing Thos. M. Luther
his associates and assigns to Con
struct and maintain a Toll Road"
"An act to amend an act entitled
An Act to provide for the election
of Probate Judges and prosecuting
attorneys and defining their duties
approved ~~Dec~~ 19" 1862". "An act author-
izing Pierson Pollock P.G. Gregory
H.P. Smith their associates and assigns
to Construct a Toll Road" "An act
granting Moses P. Haynes and associates
their heirs and assigns the right to Con-
struct and maintain a Toll Road from
Clifton to the town of Amador" "An act to
authorize Alex Ash his associates and
assigns the Right to Construct a Toll Road
"An act to grant to R.R. Martin T.A. Martin
S.S. Yates F. Tagliabue and others right
to construct and maintain a Toll Road

Report accepted and Bills ordered to a Third Reading — Mr Calder Reported that the Committee on Internal Improvements have had under consideration House Bill No 182 Entitled an act authorizing Thos B Martineau — A P Catlin to Construct a Toll Road have directed their Chairman to Report the Bill back to the House and recommend its passage — Report agreed to Bill Committed to Committee of the whole —

Mr Gillespie Reported that the Select Committee Comprising the Storey Co Delegation to which was referred Council Bill entitled an act Creating the office of Coroner in the Co of Storey and defining his duties have amended the fifth Sec thereof by making "Sept 1863" Read as "Sept 1864" — have directed their Chairman to report the Bill back to the House and recommend its passage — Report agreed to, and Bill Committed to Committee of the whole —

Mr Tunnard reports that an Delegation to whom was referred House Bill No 124 — entitled an act to incorporate the City of Austin with instructions to perfect and Report the same complete, have carefully perfected the same, Report the engrossed Bill correctly engrossed and recommend its passage — Report agreed to, Bill ordered to a third Reading —

Mr Phillips from the Gold Hill portion of the Storey Delegation reports that your Special Committee to whom was referred — Council Bill No 94 — entitled an act to amend an act to incorporate the town of Gold Hill approved Dec 19th 1862 — have had the same under consideration have come to an unfavorable conclusion and report the same back to the House

and recommend its rejection E. E. Phillips John Nelson — Report agreed to and Bill rejected — Mr Gillespie moved a Reconsideration of the vote just taken — Ayes & Nays — Ayes Messrs Elliott Gillespie Heaton Hess Hunter 5 — Nays Mesrs Barclay Brumfield Calder Dean Dixon Love Jones McDonald Nelson Phillips Stewart Tennant Trask Mr Speaker — 14. Lost.

Mr Hunter reported that the select Committee composed of the Humboldt & Washoe Delegations have had under Consideration Council Bill No 118" entitled an act to amend an act authorizing Alex Nightingale F. C. Ayres to Construct a toll Road Bridges & Ferries — approved Dec 12" 1862 have made the following amendments to strike out the words "three years" and insert the words "two years" in the sixth line Sec 1 — have directed their Chairman to report the same to the House and recommend its passage — Mr Hunter moved the rules be suspended and the Bill ordered to a third reading — Carried — Mr Heaton reported that the Committee on Claims have had under consideration House Bill No 158 entitled an act concerning the Adjutant Generals office — have come to an unfavorable Conclusion — and report the Bill back to the House and Recommend it be Rejected —

Report agreed to by the following vote. Ayes. Mesrs Brumfield Clagett Curler Heaton Jones McDonald Nelson Phillips Stewart Tennant Mr Speaker 11.
Nays Mesrs Barclay Calder Dixon Elliott Gillespie Love Hess Hunter Trask — Nugar 10
Bill Rejected.

Message from the Council —
Council Chamber Feby 16th 1862
Mr Speaker — Herewith return House Bills Nos 5-7 An act authorizing Ministerial Officers to appoint Deputies the Council having concurred in House Amendments and passed the same —
No 98 An act for the Encouragement of Mining Council having indefinitely postponed the same —
No 40 An act to supply the town of Austin in Lander Co with Water, the Council having rejected the same —
Resp. P. G. Clark Secy —
House Bill No 57 Was ordered enrolled —
Message from the Council —
Council Chamber Feby 16th 1862
Mr Speaker — Herewith returns with Council Bill No 116. An act to grant the right to construct a Toll Road from Gold Hill to Virginia City and to lay down Rail Road Track on the same Also Council Bill No 104 An act Amendatory of and supplemental to An act entitled An act to incorporate the Virginia and Truckee Rail Road Co — Approved Dec 20th 1862 — the same having passed the Council and herewith sent to your Hon Body for approval Also House Bill 128 An act Amendatory of and supplemental to an act entitled An act to provide for the formation of Corporations for certain purposes — Approved Dec 20th 1862 — the same having passed the Council without Amendments —
Resp. P. G. Clark Secy —
Council Bill No 116 Read first and second time — Mr Hanson moved it be referred to the Attorney General Carried — Council Bill No 104 Read first and second time and referred to the Committee on Internal Improvements
House Bill No 128 Ordered Enrolled —

Mr Speaker announced third reading of Bills on their order — Council Bill No 65 An act granting D M Forsyth and his associates the right to furnish the towns of Amador and Coral City with water Read a third time and passed — Ayes Messrs Brumfield Curlee Dean Dixon Elliott Gillespie Grove Heaton Hess Jones McDonald Phillips Stewart Tennant Trask Ungar Mr Speaker — 17 — Nay Mr Clagett & Nelson — 2

Council Bill No 147 An act granting S.B. Moore his associates and assigns the right to construct and maintain a Toll Road — Read a third time and passed by the following vote Ayes Messrs Barclay Clagett Curlee Dean Dixon Elliott Gillespie Grove Heaton Hess Hunter Jones McDonald Phillips Stewart Tennant & Trask Ungar Mr Speaker. 19. Nay. Mr Nelson — 1 — Council Bill No 83 An act to amend an act entitled An act to regulate proceedings in Courts of justice in this Territory —

Read a third time and passed Ayes Messrs Brumfield Curlee Dean Dixon Elliott Grove Heaton Hess Hunter Jones McDonald Stewart Tennant Trask Ungar 16. Nays Messrs Calder Clagett Nelson Phillips Mr Speaker 3 —

House Bill No 94 An act entitled An act Creating Boards of County Commissioners and defining their duties Read a third time and passed — Ayes Messrs Brumfield Calder Clagett Curlee Dean Dixon Elliott Gillespie Grove Heaton Hess Hunter Jones McDonald Nelson Phillips Stewart Tennant Trask Ungar Mr Speaker 21 — Nays. None —

House Bill An act entitled An act to provide for the election of —

Probate Judges and Prosecuting attorneys and defining their duties approved Dec 19th 1862
By unanimous Consent Mr Dixon amended Section one – Bill then Read a third time and passed –
Ayes Messrs Brumfield Calder Clagett Curlett Dean Dixon Elliott Gillespie Grove Heaton Hess Hunter Jones McDonald Nelson Stewart Tennant Trask Ungar Mr Speaker – 20 – Nays Mr Phillips 1 –
House Bill No 100 – An act entitled An act to amend an act to provide increased Compensation to the Justices of the Supreme Court and other officers of the Territory approved Dec 19th 1862 – Read a third time and passed Ayes – Messrs Brumfield Clagett Curlett Dean Dixon Elliott Gillespie Grove Heaton Hunter Jones McDonald Stewart Tennant Trask Ungar Mr Speaker 17. Nays Mrs Calder Nelson Phillips 3.
House Bill No 101 An act to amend an act entitled an act relating to wild game & fish – approved Nov 21st 1861 – Read a third time and passed Ayes Messrs. Brumfield Calder Dixon Elliott Gillespie Grove Hunter Jones McDonald Nelson. Phillips Tennant 12. Nays Messrs Curlett Heaton Hess Stewart Trask Ungar Mr Speaker 7.
House Bill No 89 An act authorizing Geo. M. Luther his associates and assigns to construct and maintain a toll Road from Austin in Sander Co to the Town of Geneva – Read a third time and passed – Ayes Messrs Barclay Brumfield Calder Clagett Dean Dixon Elliott Gillespie Grove Heaton Hess Hunter Jones McDonald Stewart – Tennant Trask Ungar Mr Speaker 19 –
Nays Mr Phillips & Nelson 2 –
House Bill No 106 An act to increase the salary of the Probate Judge of Somerset-

da County Road a third time and passed — Aye Messrs Barclay Brumfield Calder Clagett Dean Dixson Elliott Gillespie Gove Heaton Hess Hunter Jones McDonald Nelson Phillips Stewart Tennant Track Mugar Mr Speaker 21 — Nays. None.

Council Bill No 118 An Act amendatory of an act Entitled an Act authorizing A.W. Nightingale his associates and assigns to construct a Toll Road Bridges and Ferries Approved Dec 19" 1862 Read a third time and passed — Ayes Messrs Barclay Brumfield Calder — Clagett Dean Dixson Elliott Gillespie Gove. Heaton Hess Hunter Jones McDonald. Nelson Phillips Stewart Tennant Track Morgan Mr Speaker — 21. Nay. None.

House Bill No 122 an act to incorporate the City of Austin — Read a third time and passed — Ayes Messrs Barclay Clagett Dean Dixson Elliott Gillespie Gove Heaton Hess Hunter Jones McDonald Nelson Phillips Stewart Tennant Track. Mr Speaker 18. Nay. None.

Mr Jones Moved the House take a Recess till 2 O Clock. Lost.

Mr Clagett Moved a Call of the House — Carried — Absent Carter & Mugar.

The Sergeant-at-arms was instructed to bring the absentees — Mr Stewart Moved all further proceedings under the Call be dispensed with — Lost —

Mr Mugar was announced Came forward and was excused —

Mr Carter Announced Came forward and was excused —

All further proceedings under the Call dispensed with —

Mr Phillips Moved to take a recess till 1.30 P.M. Lost —

Mr Speaker Announced in Production

of Bills in their order. Mr Clagett introduced a bill entitled an act to locate permanently the Seat of Government for Nevada Territory Read first and second time.

Mr Elliott moved the rules be suspended and the bill ordered Engrossed.

Mr Ungar moved the bill be referred to the Storey Delegation. Mr Phillips moved the Bill be referred to the Gold Hill portion of the Storey Delegation. Mr Stewart moved a substitute that it be referred to a Committee composed of one from each Delegation. Carried. The Speaker appointed Mess. Clagett, Elliott & McDonald Stewart, Calder, Lemmon, Partridge and Curlin on said Committee. On leave without previous notice Mr Stewart introduced a bill entitled an act to incorporate the Carson River & Humboldt Rail Road Co. Read first and second time and referred to the Committee on Internal Improvements. Also Mr Stewart introduced a bill entitled an act to authorize Lho Boyd and associates to construct and maintain a Toll Road Read first and second time Referred to the Committee on Internal Improvements. Mr Yeaton introduced a bill entitled an act to provide increased salary to the Probate Judge of Storey Co. Read first and second time, Rules suspended, Bill ordered Engrossed.

Mr Partridge reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bill with the original as ordered engrossed and found the same correctly engrossed "Viz" An act to increase the salary of the Probate Judge of Esmeralda County. Report accepted Bill ordered to a third reading

On leave without previous notice Mr Hunter introduced a bill entitled an act to grant to D.E. Hunter and others the right to construct a Toll Road Bridge or Ferry Read first and second time, On motion referred to the Lyon and Ormsby Delegation

Mr Barclay moved to take a Recess till 2:30 P.M. Carried —

Afternoon Session —

House Called to order at 2.30 P.M.

Message from the Council —

Council Chamber Feby 16th 1861

Mr Speaker — I have the honor to transmit to your Hon Body the following House Bills. "Viz" No 79 an act granting to D Wolaiins and his associates their heirs and assigns the right to construct and maintain a Toll Road in Douglas and Lyon Counties also No 109 — An act for the relief of D.G. Lashein Sheriff of Ormsby County Also No 54 an act to authorize certain person to construct and maintain a Toll ~~Road from the~~ Road Town of Austin in Lander Co — to a point on the Colorado River adjacent the Junction of the Rio Virgin with the same —

Council having passed the same this day also No 61 an act to organize the County of Churchill the same having passed with the following amendments. Section One — Does to read the County of Churchill is with its western Boundary fixed — on the line of Longitude 41° 40m West as established by Wheelers map of Nevada Territory published A.D. 1863. and with its other Boundaries established by laws is hereby organized into a distinct County with all the Rights Privileges and immunities thereunto belonging — Amend Section 91 by adding " and shall provide for

the payment of its pro Rata share of the indebtedness of Lyon & Churchill Counties, Contracted prior to the passage of this act and remaining unpaid after the Taxes levied for the year A.D. 1863 Said pro Rata of said indebtedness to be determined by the amount of Taxable property assessed in said Counties for said year — R. Whitford. Asst Secy

Mr McDonald moved the rules be suspended and the Amendments Concurred in — carried by the following Vote Ayes Mess. Barclay Brumfield Caldwell Clagett Curler Dean Elliott Gove Keaton Hunter Jones McDonald Nelson Phillips Stewart Tennant Trask McSpearkin 18. Nays None. House Bill Nos 49 — 61 — 109 — 57 were ordered Enrolled —

Message from the Council

Council Chamber Feby 16th 1864

Mr Speaker — Herewith I transmit to your Hon body the following Council Bills the same having passed the Council this day "No 86 An Act to regulate fees and Costs — No 146 An Act for the relief of Butler Ives — Boundary Commissioner — No 142 an act granting to A. L. Sutton the right to Construct a Canal from Truckee River to the Desert Mining District — No 151 An act to provide for the election of Delegates to Congress — "No 152 an act to provide a Contingent fund for the Treasurers and Auditors Department — No 156 an act to allow married Woman to do Business as sole Trader also House Bill No 19 An act to authorize D. A. St Clair and J. J. McClellan to Rep and Maintain a Toll Bridge at a point known as the upper sink Crossing of Old River in Churchill Co Nevada Territory —

amended as follows - That the County Commissioners of Lyon & Churchill Counties shall have the right to regulate the rates of Toll of said Bridge and said Bridge shall not be placed - above point on said River so as to interfere with any ford. Also insert in sec one after the word one and before the word mile the word half so as to read one half mile -

Resp. J. G. Clark Secy -

Council Bill Noble, Read first and second time Rules suspended and Bill Committed to Committee of the whole - Council Bill No 46 Read first and second time Mr Clagett moved the rules be suspended and the Bill ordered to a third reading - Carried -

Third Reading of Council Bill No 46 An Act for the Relief of Butler Lives Boundary Commission -

Mr Brumfield moved the Bill be committed to the Committee of the Whole - Carried -

Council Bill No 42 - Read first and second time Referred to the Committee on Internal Improvements - Council Bill No 57 Read first and second time Referred to Committee on Judiciary Council Bill No 52 Read first and second time - On motion of Mr Brumfield Referred to Committee on Ways & Means - Council Bill No 56 Read first and second time, Referred to Committee on Judiciary -

On motion of Mr McDonald Council Amendments to House Bill No 9 were concurred in by the following vote - Ayes Messrs - Barclay Brumfield Calder - Clagett Curler Dean Dixson Elliott Grove Heaton Hess Hunter Jones McDonald Nelson Stewart Trask Mugar Mr Speaker 17. Nays Mr Phillips 1.

Mr Dixon gave notice that he would to morrow move to reconsider the vote by which the bill Relative to the Adjutant General was rejected —
House went into Committee of the whole on the Revenue Bill Mr Gillespie in the Chair
Mr Gillespie Reported that the Committee of the whole have had under consideration the House Bill entitled an Act Amendatory of and Supplemental to an act Entitled an act to amend and supplemental to an act to provide for assessing and collecting Territorial and County Revenue Approved Dec 20 1862 — have progressed and directed their Chairman to report the same to the House and ask leave to sit again — Report agreed to.
On leave Mr Barclay introduced a bill entitled an act to amend an act granting to certain parties the Right to Construct a Rail Road from the Western to the Eastern Boundary of the Territory Read first and second time Referred to the Committee on Internal Improvements —
On leave Mr Tennant introduced a Bill entitled an act granting Benj F. Leet the right to construct a Toll Road. Read first and second time Referred to the Committee on Internal Improvements —
On Motion of Mr Stewart House took a Recess at 5. 55. P. M.

Evening Session — The House called to order at 7:30 P. M.
Message from the Council —
Council Chamber Feby 16th 1864
Mr Speaker Have the honor to transmit to your Honorable Body the following Concurrent Resolution —

Resolved — By the Council the Assembly Concurring That the two House and Journ Rise Die. on Saturday July 20th 1864 at 12 Oclock Night —

Also return to your Hon Body House Bill No 41 An Act to authorize the County Commissioners of Sandy Co to provide means to build a Court House and Jail which has been indefinitly postponed by the Council this day — Resp —

A Whitford Asst Sec —

The Resolution was laid on the Table —

Mr McDonald moved the House go into a committee of the Whole on the Franchise Calindar — Carried —

Mr Phillips in the Chair —

Council Bill No 25, 56, 92 & 65 —

Mr Phillips reported that the Committee of the Whole have had under Consideration Council Bill No 25 entitled An Act to incorporate the Bullion Insurance Company and have directed their Chairman to report the same back to the House and recommend its passage —

Mr Phillips reported that the Committee of the Whole have had under Consideration Council Bill No 56 entitled An Act to authorize M. P. Harmon his associates and assigns to construct and maintain a Toll Road have made some amendments thereto and have directed their Chairman to Report the same back to the House and recommend its passage — Report agreed to and Bill ordered to a Third Reading.

Mr Phillips reported that the Committee of the Whole have had under Consideration Council Bill No 65 entitled An Act to authorize John G. Powell his associates and assigns

to Construct and maintain a Toll Road have made some amendments thereto and have directed their Chairman to Report the same back to the House and recommend its passage - Report agreed to and Bill ordered to a Third Reading -

Mr Phillips reported that the Committee of the Whole have had under consideration Council Bill No 92 Intitled an act authorizing S. Stinson his associates and assigns to Construct a Toll Road & Bridge - and have directed their Chairman to report the same back to the House and recommend it be laid on the Table -

Ayes & noes upon agreeing to the Report - Ayes Messrs Gillespie Hiss Hunter Jones Nelson Phillips Stewart 7 - Nays Messrs Barclay Brumfield Caldwell Clagett Curlew Dean Elliott McDonald Lumsdaine Trask Mr Speaker 11 - Report disagreed to - and Bill ordered to a Third Reading -

Message from the Council

Council Chamber Feby 16th 1864

Mr Speaker - I have the Honor to transmit to your Honorable Body for your Consideration Council Bill No 172 an act ~~providing~~ for the publication of the laws of the third session of the Legislative assembly Resp Awaitors &c.

Council Bill No 172 Read first and second time, ~~Referred to Committee on expenditures of the House~~

Mr McDonald moved the Bill be ~~recommitted to Committee on expenditures of the House pended and Bill ordered to a third reading~~

Mr Gillespie moved it be referred to the Committee on printing - lost -

Mr McDonald's motion carried by the following vote - Ayes Messrs Barclay Brumfield Caldwell Clagett Curlew Dean Elliott McDonald Phillips Lumsdaine

Mr Speaker 41 — Nays Mess Gillespie Hess Jones, Nelson Stewart Frank 6. Ca

Mr Stewart moved the Committee on Printing be added. lost —

Message from the Council —

Council Chamber Feby 16 1864

Mr Speaker — I herewith transmit Council Bill No 125. An act for the protection of Miners in the opening and development of mines. the same having passed the Council this day —

Resp. P. G. Clark. Secy Co

Council Bill No 125 — Read first and second time. Mr Clagett moved the Rules be suspended and Bill ordered to a third Reading. Lost.

On motion of Mr McDonald Bill committed to Committee of the whole —

On leave Mr Gillespie offered the following Resoulution — Resolved that this House will after tomorrow "Wednesday" night consider no bills but those of a Public nature unless they be Council Bills —

Mr Barclay moved to strike out the words "except Council Bills" Carried — Resolution adopted.

On leave Mr Elliott Introduced a Bill entitled an act to provide a fund for the Fire Department of the City of Virginia — Read first and second time and Referred to the Atorney Delegation — Mr Jones introduced a bill entitled an act for the relief of W. L. Britton, Read first and second time Referred to Committee on Claims —

Mr Barclay offered the following Concurrent Resolution. Resolved by the House Council concurring that a joint Convention of the two Houses be held in the Hall of the House of Representatives at 10 o'clock P.M. Wednesday 16th inst for the purpose of taking into Consideration the publication of the laws passed at the Third Session of the Legislature — Laid over one day — At 9:35 House adjourned —

Thirty Seventh Day.

Wednesday Feby 18th 1864

Pursuant to adjournment House called to order at 10 o'clock Am.

Roll call. Absent. Mesrs Barclay Curler Elliott Gray Rigua 5—

Present, Mesrs Brumfield Calder Clagett Drew Dixon Gillespie Gove Heaton Hess Hunter Jones McDonald Nelson Phillips Stewart Truman Trask Ungar Partridge Mr Speaker— 20—

Prayer by the Chaplain— Journal Read and approved— Mr Speaker announced presentation of Petitions first in Order— Mr Stewart presented a petition from the Citizens of Ormsby Co Condemning the action of the County Commissioners together with the Communication from the Secy of the Territory—

Mr Stewart moved the Petition and Communication be referred to the Select Committee on the Territorial Capital Mr McDonald moved they be laid on the Table Carried— Mr Speaker announced Reports of Standing Committees next in order—

Mr Truman reports that the Standing Committee on Enrollment have carefully compared the following entitled House bills with the Engrossed Bills as passed by the two Houses and found the same correctly Enrolled— "Viz" — House Substitute for Council Bill No 21— An act Amendatory of an act to amend an act entitled An Act establishing a Common School System for the Territory of Nevada— approved Nov 28th 1861. Approved Dec 20th 1862— No 112 An act Amendatory of and supplemental to an act entitled An Act granting Moses Job Emanuel Pierce— their Heirs and assigns the right to Construct

and maintain a Toll Road from the sink of Carson river to Truckee River —
No 89 an act for the relief of D. J. Gaskerin Sheriff of Ormsby Co —
No 90 An act providing for the Building of a court House and Jail — for the County of Lyon Territory of Nevada
No 79 An act granting S. W. Planis and his associates their heirs and assigns the right to construct and maintain a Toll Road in Douglas and Lyon Counties
Mr Traskr reported that the Committee on Agriculture have had under Consideration Council Bill No 50 — An act Amendatory of and supplimental to an act to incorporate the Washoe Agricultural Mining and Mechanical Society. have made some amendments therein, and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill Committed to Committee of the Whole —
Mr Partridge reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original as ordered Engrossed and found the same Correctly Engrossed "Viz" House Bill No 66 An act to grant Wm T. Kingsbury and others the right to construct and maintain a Toll Road in Roop County "No 92 an act authorizing E Dexter, L W Dexter, and D M Baldwin to construct and maintain a Toll Road in Esmeralda County." No 131 An act to amend an act to provide for the Election of Probate Judges and prosecuting attorneys and defining their duties approved Nov 19" 1862 — No 123 An act to supply the town of Dayton ~~within~~ in Lyon County with water to protect the town against fire and defining the Boundaries thereof

Report accepted and Bills ordered to a third reading — Mr Calder Reported that the Esmeralda Delegation have had under consideration Council Bill No 120 entitled an Act to provide for an additional Justice of the Peace for Precinct No one — Esmeralda Co — and have directed their Chairman to Report the Bill back to the House and Recommend its rejection Report agreed to. Bill Rejected —

Mr Calder reported that the Esmeralda Delegation have had under consideration House bill No 83 — an act to repeal an act to authorize and require the County Commissioners of Esmeralda County to procure and authorize the Recorder of Mono Co California to transcribe certain Indexes and records of Mono Co — California and have directed their Chairman to report favorably and recommend its passage Report agreed to and Bill Committed to Committee of the Whole —

Mr Calder Reported that the Committee on Internal Improvements have had under Consideration H Bill No 149. entitled an act granting to Benj F. Sack the right to construct and maintain a Toll Road — and have directed their Chairman to report the Bill Back to the House and recommend its passage — Report agreed to, and Bill Committed to Committee of the Whole —

Mr Calder Reported that the Committee on Internal Improvements have had under consideration Council Bill No 104 entitled an act amendatory of an act entitled an act to incorporate the Virginia and Truckee Rail Road Company approved Dec 20th 1862 — and have directed their Chairman to Report the Bill Back

to the House and recommend it be referred to the Committee of the whole — Report agreed to — Bill committed to the Committee of the whole and ordered printed at the Expense of the Grantees —

Mr Calder Reported that the Committee on Internal Improvements have had under Consideration Council Bill No 116. Entitled an act to grant the right to Construct a Toll Road from Gold Hill to the City of Virginia and lay down Rail Road tracks in said City and have directed their Chairman to report the Bill back to the House and Recommend it be referred to the Committee of the Whole — Report agreed to, and bill so referred — Mr Calder reported that the Committee on Internal Improvements have had under consideration Council Bill No 142 Entitled an act granting A. G. Lateer and associates the Right to Construct a Canal from Truckee River to the Desert Mining District and have directed their Chairman to report the Bill Back to the House and recommend its Rejection Report disagreed to and on Motion of Mr Elliott Bill Committed to Committee of the Whole — and ordered printed at the Expense of Grantee,

Mr Calder reported that the Committee on Internal Improvements have had under Consideration House Bill No 189. entitled an act to authorize Thos Boyd and Associates to Construct and Maintain a Toll Road — have amended the same by striking out section 5. and have directed their Chairman to Report the Bill back to the House and Recommend its passage Report agreed to — and Bill Committed to Committee of the whole — Mr Elliott Reported that the Committee on the Judiciary

have had under consideration Council Bill No 13, Entitled an act to Amend an Act to regulate proceedings in Civil Cases in the Courts of Justice of the Territory of Nevada and have directed their Chairman to report the same back with some amendments and recommend its passage. Report agreed to and Bill Committed to the Committee of the whole.

Mr Brumfield Reported that the Committee on Judiciary have had under Consideration Council Bill No 156. "An Act to allow married Women to do business as sole traders". and have directed their Chairman to report the same to the House and recommend its rejection

Report agreed to — Bill rejected.

Mr Brumfield Reported that the Committee on Judiciary have had under Consideration Council Bill No 157. "An Act to provide for the Election of Delegates to Congress and have directed their Chairman to Report the same to the House and recommend its passage — Report agreed to — Bill Committed to the Committee of the Whole.

Mr Fisher — Reported that the Committee on Claims, to which was re-committed Council Bill Entitled "An Act for the relief of certain persons" have had the same under Consideration and have directed their Chairman to report ~~this~~ a Substitute, a Bill Entitled "An Act to provide for Certain Expenses incurred by the Constitutional Convention" and recommend its passage in lieu of the aforesaid Council Bill. Report — Agreed to — and

Substitute. Committed to the Committee of the Whole and Ordered printed.

Mr Seay Heaton and Phillips reported that the Committee on Claims have had under Consideration House Bill No 171 Entitled "An Act to Audit the the Claim of Frank Perkins and to provide for the payment of the same have come to an un-favorable conclusion. and report the bill back with warrants and recommend its rejection. Report agreed to - and Bill rejected -

Mr Clagett Reported - that the Committee on Judiciary have had under consideration Council Bill No 119 - Entitled "An Act relating to the duties of County Recorders in Certain Counties and have directed their Chairman to report the same back to the House and recommend its passage. Report agreed to - and Bill Committed to the Committee of the Whole.

Mr Clagett Reported that the Committee on Corporations have had under Consideration House Bill No 170; Entitled "An Act to Incorporate the Virginia and Crystal Peake Rail Road Company. have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage as amended

Report agreed-to - And Bill Committed to the Committee of the Whole and ordered printed at the expense of the Grantees -

Mr Fisher from the Committee on Expenditures of the House, Reported that they have had under Consideration Council Bill No 172. "An Act providing for the publication of the Laws of the

Third Session of the Legislative Assembly." Report the accompanying Bill as a Substitute.

Report agreed to and Bill committed to the Committee of the whole. Mr Speaker announced reports of Select Committees next in Order.

Mr McDonald Reported that the Select Committee, composed of the Ormsby and Lyon Delegations, have had under consideration House Bill No 191 - Entitled "An Act to grant to D. E. Hunter and others the right to Construct a Toll Road and Bridge or Ferry - and have directed their Chairman to report the same to the House and recommend its passage - Report agreed to and Bill committed to the Committee of the whole.

Mr Blagett - Reported the Special Committee on the removal of the Capital - composed of one member from each Delegation in the House have had under consideration House Bill No 186 - Entitled "An Act to locate permanently the seat of Government of Nevada Territory" That a majority of said Committee have come to a favorable Conclusion thereon have made some amendments thereto, and report the same back to the House and recommend its passage as amended. Signed Wm H. Blagett, B. Carler, J. McDonald Jr. J. N. Calder, A. B. Elliott Thos J. Lemant, Minority Report - Mr Speaker - That portion of the Select Committee composed of the Counties of Ormsby, Washoe, Douglas and Roop, to whom was referred "An Act to locate permanently the seat of Government of Nevada Territory, report that they

have had the same under Consideration and have come to an unfavorable Conclusion thereto and have reported the same back to the House and recommend its indefinite postponement Signed Neil Stewart, S. C. Dean, S. C. Partridge Hiram Gove. The Reports - together with the Bill were Committed to the Committee of the Whole -

Mr Stewart moved the petition from the Citizens of Aroostook County together with the communication from the Secretary of the Territory be taken from the Table - and referred to the Committee of the Whole - Carried - Mr Barclay moved a reconsideration of the Vote by which both reports and Bill were Committed to the Committee of the Whole, Ayes and Nayes Called - Ayes Messrs. Barclay, Blagett, Butler Elliott, Gillespie, Heaton, McDonald, Nelson, Regua, Tennant and Ungar - 11 Nayes - Messrs - Brumfield, Calder, Dean Dixson, Fisher, Gove, Hess, Hunter, Jones, Phillips, Stewart, Trask and Mr Speaker, 15 Lost - Mr Elliott moved it be made the Special Order for to-morrow at 11 O'clk, Mr Brumfield moved an amendment by inserting 12 O'clk instead of Eleven - Mr Gillespie moved the previous question - Lost - Vote taken on Mr Brumfield's Amendment, Ayes, Messrs - Brumfield Dean, Dixson, Gove, Hess, Hunter Jones, Stewart, Trask - 9 - Nayes - Messrs Barclay, Calder, Blagett, Butler, Elliott Fisher, Gillespie, Heaton, McDonald Nelson, Phillips, Regua Tennant Ungar and Mr Speaker, - 15 - Lost -

Vote taken on Mr Elliotts motion - Ayes Messrs - Barclay, Calder, Blagett, Elliott Fisher, Gillespie, Heaton, McDonald Nelson, Phillips, Regua, Tennant, Ungar

and Mr Speaker — 14 Ayes Messrs Brumfield. Cutler, Dean, Dixson, Love, Hess. Hunter. Jones. Stewart and Trask. — 10 it requiring a two third Vote — motion Lost — Mr Blagett move the rules be suspended. and the Bill ordered to a third reading, Ayes — Messrs. Barclay, Brumfield. Calder. Blagett. Cutler, Elliott Fisher. Gillespie Love. Heaton. Hunter. Jones. McDonald. Nelson. Phillips. Regua. Stewart. Tennant. Trask. and Ungar — 20. Nays Messrs — Dean. Dixson. Hess and Mr Speaker — 4 — Carried —

Mr McDonald moved the Bill be read by title — Carried — House Bill No. 186 entitled "An Act to locate permanently the seat of Government in this Territory" was read a third time and passed as follows — Ayes — Messrs Barclay Calder. Blagett Cutler. Elliott. Gillespie Heaton. McDonald. Nelson. Regua. Tennant. Ungar and Mr Speaker — 13. Nays — Messrs Brumfield. Dean. Dixson. Fisher. Love. Hess. Hunter. Jones, Phillips. Stewart and. Trask — 11 — at 12:10 o'clk P.m. House took a recess —

Afternoon Session

House Called to order at 1 o'clk P.m.

Mr Blagett moved a Call of the House — Carried — Mr Dixson Came forward — and was excused

Mr Phillips moved that all further proceedings under the Call be dispensed with — Carried —

Message from the Governor

Executive Chamber
Territory of Nevada
Carson Feb 16th 1864

To the Hon
The House of Representatives of the Territory of Nevada

I have this day approved and signed Bills of the following Titles - (viz) "An Act prescribing the manner of Commencing and maintaining actions by or against Counties" H.B. No 10 - "An Act to supply the Town of Carson City with Water" H.B. No 96 - "An Act to legalize the assessment of real and personal property as made by the Board of County Commissioners of Lyon and Churchill Counties for the year A.D. 1865" H.B. No 55 - "An Act for the relief of Michael Kelley Constable for Carson City Township Ormsby Co N.T." H.B. No. 28 - "An Act Amendatory of An Act defining the Judicial Districts fixing the Terms of the Supreme and Districts Courts of the Territory locating the County Seats of the several Counties of the Territory and providing for the transfer and trial of actions Approved Nov 29th 1861" "H.B. No 16 "An Act to incorporate the City of Star in the County of Humboldt" H.B. No 150 - "An Act allowing D. C. Partridge a per diem compensation as representative from the County of Roop" H.B. No 149 - "An Act to provide increased compensation to the Governor of the Territory of Nevada" "An Act to Create the County of Nye" "An Act for the relief of Mason and Huff" "An Act to audit the Claim of Thos. C. Nye and to provide for the payment of the same" "An Act for the relief of E. B. Reid" "An Act Amendatory of An Act Entitled An Act extending the Jurisdiction of the Probate Courts of this Territory" "An Act for the relief of Wm Sidell Raleigh and John S. Ward" James W. Nye Governor of the Territory of Nevada - I also

return herewith to Your Hon Body without my approval "An Act providing for the Order in which Territorial and County Warrants shall be paid and the rate of interest they shall bear" I withhold my approval for the reason that the Bill provides for the payment of interest on all warrants heretofore drawn as well as those hereafter to be drawn. I consider the payment of interest on the outstanding warrants wrong in principal and unjust to the tax payers of the Territory for — of the many outstanding warrants are held by the persons to whom they were issued, but have been purchased at a large discount by the now holders. And for the reason that they did not bear interest

James, H. Nye Governor of the Territory of Nevada — On motion of Mr Gillespie the Bill, together with the message was referred to a Special Committee of Three composed of Messrs Gillespie, Fisher and Stewart.

Message from the Council

Council Chamber
Feb 17th 1864

Mr Speaker — I have the honor to transmitt to Your Hon Body the following Council Bills — to wit:- No 171 — "An Act to authorize certain parties to construct and maintain a Toll Road from the Town of Aurora via Excelsior to San Antonia" No 57 — "An Act to provide increased compensation to the Justices of the Supreme Court" No 153 — "An Act to incorporate the Masonic Association of Austin" No 147 — An Act authorizing S. S. Buckland and his associates to construct and maintain a Toll Road from Widow Rankins Ranch in Churchill County to Sand Springs" No. 157 —

"An Act to Authorize Certain Parties herein named to Construct a Toll Road" also. "Concurrent Resolution to provide for the Amendment of the Organic Act"

I also return to your Hon Body the following House Bills - No 124 - "An Act to incorporate the City of Austin" No 156 - An Act to increase the Salary of the Probate Judge of Esmeralda County" No 101 - "An Act to Amend an Act Entitled An Act relating to Wild Game and Fish" Approved Nov 21st 1861" No 89 - "An Act authorizing Thos. M. Luther his associates and Assigns to Construct and maintain a Toll Road" No 151 - "An Act to amend an Act Entitled An Act to provide for the Election of Probate Judges and Prosecuting Attorneys and Defining their duties" the same having passed the Council without Amendments - A. Whitford - Ast Sec - Council Bill No 77 - Read first and second time - and Referred to Committee on Internal Improvements Council Bill No 57, Read first and second time and Referred to Committee On Claims Council Bill No 153 - Read first and second time and referred to Committee on Corporations, Council Bill No 121 Read first and second time and Referred to Committee On Internal Improvements Council Bill No 157 - Read first and second time and Referred to Committee on Internal Improvements - Council Concurrent Resolution, referred to Committee On Judiciary - Mr Calder gave notice that he would on to-morrow move to reconsider the vote by which the Capital Bill passed - Mr McDonald moved to re-consider now - Mr Phillips moved an amendment - that the question be postponed until to-morrow, ayes and Nayes on the Amendment - Ayes - Messrs Brimfield

Calder, Cutler, Dean, Dixon, Fisher, Gove, Hess, Hunter, Jones, Phillips, Stewart and Task — 15 — Nayes Messrs. Barclay, Blagett, Elliott, Gillespie, Heaton, McDonald, Nelson, Regua, Tennant, Ungar, and Mr Speaker — 11 — Carried —

House Bills No's 124, 165, 101, 89, and 131 — were Ordered Enrolled —

Mr Speaker announced Third Reading of Bills next in Order —

Council Bill No 25 — "An Act to incorporate the Bullion Insurance Company" was read a third time and passed — Ayes. Messrs, Barclay, Brumfield, Calder, Blagett, Cutler, Dean, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Task, & Ungar — 19 Nayes Messrs — Elliott, Fisher, Regua & Mr Speaker — 4 — On leave Mr Gillespie from the Special Committee presented the following report,

Mr Speaker! The undersigned a majority of your Committee comprising Messrs Gillespie Fisher & Stewart to which was referred for amendment the House Bill entitled An Act providing for the order in which Territorial and County Warrants shall be paid and the rate of interest they shall bear — begleave to the objections of the Governor thereto — have had the same under consideration and have come to the conclusion to — and have amended the same by striking out the words in the first line of the first section of said "Bill" viz "drawn or" and the said amendment is made to revise — the objection of the Governor to said Bill the Bill is now with returned as amended and its re passage Recommended — Robt Fisher — Wm M. Gillespie —

Mr Brumfield moved the Report

be disagreed to — Ayes & nays on Mr Brumfields Motion Ayes Mess. Barclay Calder Clagett Curlew Dean Hess Nelson Regua Mr Speaker 9. Nays Mess. Brumfield Dixson Elliott Fisher Gillespie Grove Heaton Hunter Jones McDonald Phillips Stewart Tennant Trask Unger Mr Speaker — 15 Lost.

Mr McDonald moved the Bill be laid on the Table — Carried —

Council Bill No 65 an act to authorize John G. Powell his associates and assigns the right to construct and maintain a Toll Road Read a third time and passed — Ayes — Messrs Barclay Brumfield Calder Clagett Dean Curlew Dixson Elliott Grove Heaton Hess Hunter Jones McDonald Phillips Stewart Tennant Trask Unger 19. Nays Mess. Nelson Regua Mr Speaker 3.

House Bill No 97 an act to authorize Pervian Pollock, P. G. Gregory their associates and assigns to construct and maintain a Toll Road — By unanimous consent Mr Trask amended Sec 2 — The Bill was then read a third time and passed — Ayes Mess. Barclay Brumfield Curlew Dean Dixson Elliott Fisher Grove Heaton Hess Hunter Jones McDonald Stewart Tennant Trask Unger 17 Nays Mess. Nelson Phillips Regua Mr Speaker 4 — House Bill No 110 an act to authorize Alex Ash his associates and assigns to Keep and Maintain a Toll Road — By unanimous consent Mr Stewart amended Section One — The Bill was then Read a third time and passed — Ayes Mess. Barclay Brumfield Calder Dean Dixson Elliott Grove Heaton Hess Hunter Jones Phillips Stewart Tennant

Trask Wagar, Y. Nays Mrs Curlin
Fisher McDonald Nelson Regua
Mr Speaker 6. House Bill No
103 an act to grant D. P. Martin His F.
Martin L. F. Yates and F. Gaslin Their
associates and assigns to construct
and maintain a Toll Road was Read
a third time and passed — Ayes.
Messrs Barclay Brumfield Calden
Dean Dixon Elliott Fisher Grove Heaton
Hess Hunter Jones Phillips Regua
Stewart Tennant Trask Wagar 18 —
Nays Mrs Curlin McDonald Nelson
Mr Speaker 4 — House Bill No 105
an act granting Moses P. Haynes his
associates and assigns the right to
construct and maintain a Toll Road
from Clifton to the town of Amador Road
a third time and passed — Ayes
Messrs Barclay Brumfield Calden
Dean Dixon Elliott Fisher Grove Heaton
Hess Hunter Jones McDonald Phillips
Stewart Tennant Trask Wagar Mr Speaker 19
Nays Mrs Nelson Regua. 2 —
Council Bill No 5 an act author-
izing M. D. Harman his associates and
assigns the right to construct a
Toll Road was Read a third time
and passed. Ayes Messrs Barclay
Brumfield Calden Dean Dixon Elliott
Fisher Grove Heaton Hess Hunter
Jones McDonald Phillips Stewart
Tennant Trask Wagar Mr Speaker 19 —
Nays Mrs Nelson & Regua — 2 —
House Bill No 123 an act to
supply the town of Dayton in Lyon
Co with water and to protect the
town against fire — and to define
the Boundaries thereof was Read
a third time and lost — Ayes Mrs
Barclay Calden Curlin Dixon Hess McDonald
Regua Stewart Trask Wagar 11 —
Nays Mrs Brumfield Clagett Elliott Fisher

Heaton Humler Jones Nelson Phillips Lumant
Mr Speaker — 11 — Mr Trask gave notice
he would move a reconsideration of the
vote just taken — House Bill No 92 an act
to authorize J. M. Dexter E Dexter and D. M.
Baldwin their associates and assigns to
construct and maintain a Toll Road in
Esmeralda County was read a third
time and passed — Ayes Messrs Barclay
Caldwin Curler Dean Dixson Elliott Fisher
Gove Heaton Hess Humler Jones McDonald
Stewart Lumant Trask Ungar 17
Nays Messrs Brumfield Phillips Nelson
Mr Speaker 4. House Bill No 10 —
an act granting Wm. V. Kingsbury and others
the right to construct and maintain
a Toll Road in Roop County was read
a third time and passed —
Ayes Messrs Barclay Brumfield Caldwin
Curler Dean Dixson Elliott Fisher Gove
Heaton Hess Humler Jones McDonald
Phillips Stewart Lumant Trask Ungar 19
Nays Mr Speaker 1 — On leave
Mr Barclay offered the following Report,
Mr Barclay Reported that the Committee
composed of the Virginia Delegation —
have had under Consideration Council
Bill Entitled an act to provide a fund
for the Fire Departments of the City of
Virginia and have directed their Chair-
man to Report the same back to the House
with some ammendments, and recommend
its passage — Mr Elliott moved the
rules be suspended and the Bill ordered
engrossed. — Carried — On leave without
previous notice Mr Lumant introduced a
Bill No 20 entitled an Act in regard to the Sal-
ary of the Probate Judge and Recorder
of Nye County Read first and second
time and referred to the Committee on
Judiciary — Mr Brumfield introduced
a bill entitled an Act to regulate the —

Finance of Ormsby County Read first and second time and upon Motion of Mr Brumfield the Rules were suspended and the Bill ordered engrossed —

Mr Tennant moved the Rule be suspended and House Bill 209 be ordered engrossed — Carried — On leave Mr Curler reported that the Committee on Internal Improvement have had under Consideration Council Bill No 157 — entitled an Act to authorize certain parties to Construct a Toll Road and have directed the Chairman to report the same back to the House and recommend its passage — On Motion of Mr Barclay the Rules were suspended and Bill ordered to a third reading forthwith

Council Bill No 57 an Act granting certain parties herein named the right to Construct and maintain a Toll Road was Read a third time and passed Ayes Mess Barclay Brumfield Clagett Curler Dean Dixon Elliott Fisher Heaton Hunter McDonald Rigna Tennant Track Unger Mr Speaker 16, Nays, Mess. Jones, Phillips 2, On leave without previous notice Mr Dixon introduced House Bill No 211, entitled an Act Authorizing Chas Marshall and Saml Perkins the right to Construct a Toll Road, On Motion of Mr Dixon the Bill was referred to the Committee of the Whole and ordered printed at the Expense of the Members — On Motion of Mr Heaton the House went into Committee of Whole on the Revenue Bill — On leave Mr Gillespie Reported that the Select Committee on Salaries of Attaches have had under Consideration Matters referred to them and report by Bill Entitled an Act to provide Compensation to the attaches of the Legislative Assembly and recommend

its passage Report agreed to Bill committed to Committee of the whole and ordered printed — Mr Gillespie moved the Bill providing for taking the census and statistics of the Territory be committed to the Committee of the whole. Lost.

On leave Mr Dean presented a petition from the Citizens of Douglas Co praying for the passage of a law taxing the mines indiscriminately — House resolved into Committee of the whole for the Revenue Bill — Mr Fisher in the Chair — Mr Fisher reported that the Committee of the whole have had under consideration House Bill entitled an act amendatory of and supplementary to an act to amend an act to provide for assessing and collecting Territorial and County Revenue — have progressed have directed their Chairman to report the same back to the House and recommend it be made the Special order for 8 o clock this Evening

The question was taken on agreeing to the Report — ayes & nays called with the following result — Ayes Messrs Barclay Clagett Curlee Elliott Fisher Gillespie Goodwin Meadow Reynolds Sargent Ungar 11 — Nays Messrs Brumfield Dean Hess Hunter Jones McDonald Nelson Phillips Stewart Trask Mr Speaker — 11 — Lost.

Mr Elliott moved it be made the Special order for tomorrow at 11 o clock A. M. — Ayes & Nays called with the following result — Ayes Messrs Brumfield Caldwell Curlee Dixon Elliott Fisher Gillespie Goodwin Meadow Hunter Jones McDonald Nelson Phillips Stewart Sargent Trask Ungar — 18 —

Nays Messrs Barclay Clagett Dean Hess Reynolds Mr Speaker 6. Carried —

On leave Mr Gillespie offered the following Resolution Resolved that a select Committee of three from each Judicial District be appointed by the Speaker whose duty it shall be and they are hereby required to examine all Bills of a Public Character on the General Orders and report the same complete "with or without amendment" for a third reading provided that no bill shall be thus reported complete unless two thirds of the members comprising such Committee agree thereto — Question was taken on adoption of the Resolution — Ayes & Noes were then called with the following Result — Ayes — Messrs — Calder Elliott Gillespie Cox Heaton Hunter Jones McDonald Regan Lamont Morgan 11 — Nays Messrs Barclay Brumfield Clagett Carter Drew Dixon Fisher Hess Nelson Phillips Stewart Trask Mr Speaker — 13 — Lost — On Motion of Mr Heaton House took a Recess at 5.50 P.M.

Evening Session —

House was called to order at 8 O'Clock P.M. House resolved into Committee of the Whole — Mr McDonald in the Chair — upon Council Bill No 90 — An act granting A.C. Lawson and Jas Brannon the right to Con —

On leave Mr Gillespie offered the following Resolution Resolved that a select Committee of three from each Judicial District be appointed by the Speaker whose duty it shall be and they are hereby required to examine all Bills of a Public Character on the General Orders and report the same complete "with or without amendment" for a third reading provided that no bill shall be thus reported complete unless two thirds of the members comprising such Committee agree thereto — Question was taken on adoption of the Resolution — Ayes & Noes were then called with the following Result — Ayes — Messrs — Calder Elliott Gillespie Cox Heaton Hunter Jones McDonald Regan Lamont Morgan 11 — Nays Messrs Barclay Brumfield Clagett Carter Drew Dixon Fisher Hess Nelson Phillips Stewart Trask Mr Speaker — 13 — Lost — On Motion of Mr Heaton House took a Recess at 5.50 P.M.

Evening Session —

House was called to order at 8 O'Clock P.M. House resolved into Committee of the Whole — Mr McDonald in the Chair — upon Council Bill No 90 — An act granting A.C. Lawson and Jas Brannon the right to Con —

struct and maintain a Toll Road have made some amendment thereto and have directed their Chairman to report the Bill back to the House and recommend its passage — Report agreed to and Bill ordered to a Third Reading — Mr McDonald Reported that the Committee of the whole have had under Consideration Council Bill No 115 Entitled an Act granting a pleasure Toll Road out of the City of Tuscumbia have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered Engrossed for Third reading —

Mr McDonald reported that the Committee of the whole have had under consideration House Bill No 191 Entitled an Act granting D.C. Nutter his Heirs and assigns the right to construct a Toll Road, Bridge or Ferry — have made some amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered engrossed for a third Reading

Mr McDonald reported that the Committee of the whole have had under consideration House Bill No 182 Entitled an Act authorizing J.B. Martineau and A.P. Leathers their heirs and assigns the right to construct a Toll Road in Sanders county and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered engrossed for a third Reading

Mr McDonald reported that the Committee of the whole have had under consideration Council Bill No 116,

Entitled An Act to grant the right to Construct a Toll Road from Gold Hill to the City of Virginia and to lay down Railroad track on the same
And have directed their Chairman to report the same back to the House and recommend its be indefinitely postponed Report agreed to and Bill indefinitely postponed

Mr McDonald reported that the Committee of the whole have had under consideration Council Bill No 144 entitled an Act Amendatory of and supplementary to an Act to incorporate the Virginia and Truckee Rail Road Company – have directed their Chairman to report the same back to the House and recommend its rejection – Mr Gillespie moved the report be laid on the Table – Lost – Report agreed to and bill rejected —

Mr McDonald Reported that the Committee of the whole have had under Consideration Council Bill No 142 – Entitled An Act granting R. G. Sabson and Jas Brannon their heirs Associates and assigns the right to Construct a Canal from Truckee River to the Dravet Mining District have made some Amendments thereto and have directed their Chairman to report the same back to the House and recommend its passage —

Report agreed to and Bill ordered to a third reading —

Mr McDonald Reported that the Committee of the whole have had under consideration House Bill No 189 entitled An Act authorizing Thos Boyd and associates to Construct and maintain a Toll Road have made some amendments thereto –

and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and bill ordered engrossed for a third reading

Mr McDonald reported that the Committee of the whole have had under consideration House Bill No 170 Entitled an act to incorporate the Virginia and Chrystal Peak Rail Road Company and have directed their Chairman to report the same back to the House and recommend its passage — Report agreed to and Bill ordered Engrossed for a third Reading —

Mr McDonald Reported that the Committee of the whole have had under consideration House Bill No 211 entitled an act granting Chas Marshall and Saml Parsons the right to construct and maintain a Toll Road — have amended the same by inserting the names of M. P. Hayes and Frank Perkins in lieu of Chas Marshall and Saml Parsons — and have directed their Chairman to report the same back to the House as amended and recommend its passage — Report agreed to and Bill ordered Engrossed for a third Reading —

On leave Mr Fisher from the Committee on Internal Improvements presented the following Report

Your Committee on Internal Improvements to whom was referred House bill No 198. An act to amend an act granting to certain parties the Right to construct a Rail Road from the Western to the Eastern Boundary of the Territory of Nevada Approved Nov 26th 1861 — Report the same back to the House and recommend its passage with the following amendment Strike out in the 27th and 28th lines the words "and also such Branch Telegraph

lies to such places as they may deem proper" - J. W. Calder Robert Fisher - B. Curler - Upon Motion of Mr Fisher the rules were suspended and the Bill ordered to a third reading forthwith Read a third time and passed as follows

Ays Mess - Barclay Brumfield Clagett Dean Dixson Fisher Heaton Hunter Phillips Regua Stewart Turnant Trask Sugar Mr Speaker 15. Nays Mess Gillespie McDonald Nelson 3.

Mr Stewart moved the rules be suspended and House substitute for Council Bill No 172 on a bill in relation to printing be considered - Carried - Mr Stewart moved the "Virginia Daily Union" be inserted in Section One - Mr Heaton moved the "Territorial Enterprise be inserted - Lost - Mr Stewart motion, Carried -

On Motion of Mr. Fisher Rules were suspended - and the Bill ordered to a third Reading forthwith -

Read a third time and passed - as follows, Ays, Mess, Barclay Brumfield Clagett Dean Dixson Fisher Gillespie Heaton Hunter McDonald Phillips Regua Stewart Trask Sugar 15 - Nays Mess Nelson Turnant Mr Speaker 3.

On Motion of Mr Nelson - At 12:25 AM. House adjourned,

Thirty Eighth Day -

Thursday Feby 18th 1864 -

Pursuant to adjournment the House was Called to order at 10 o'clock AM. Role Called - Present. Mr Barclay Calder Clagett Curler Dean Elliott Fisher Gillespie Goss Heaton Hunter Jones McDonald Nelson Phillips Regua Stewart Turnant Trask Mr Partridge Mr Speaker - 21 - Absent - Mr Brumfield Dixson Gray Mess Sugar. 5 -

Prayer by the Chaplain — Journal read and approved — Mr Speaker announced presentation of Petitions first in Order —

Mr Barclay presented a Remonstrance from the Citizens of Storey Co against the passage of the Pleasure Toll Road Franchise out of the city of Virginia — Mr Gillespie presented a Petition from the Citizens of Storey County praying for the passage of the Franchise for a Pleasure Toll Road out of the City of Virginia — Mr Dixon Moved both Petitions be laid on the Table Carried — The Clerk presented a Petition from the Citizens of Como praying for the ~~a~~ Franchise from the town of Como to Ragtown — Laid on the Table —

Mr Dran presented a Petition from the citizens of Churchill County asking for a Franchise from Fort Churchill to Sand Springs — Mr McDonald Moved ~~that~~ be laid on the Table — Carried —

Mr Stewart presented a Bond from the Citizens of Ormsby Relating to the Legislative Rooms — Mr Stewart Moved it be laid on the Table — Carried —

Mr Speaker announced Reports of standing Committees next in order —

Mr Partridge reports that the Standing Committee on Engrossment have carefully Compared the following Entitled House Bills with the original as ordered Engrossed and found the same Correctly Engrossed "Viz" House Bill No 210 An Act to Regulate the finances of Ormsby County — Report agreed to and the Bill ordered to a Third Reading —

Mr Calder reported that the Committee on Internal Improvements have had under Consideration Council Bill No 20 Entitled An Act authorizing J. S. Watkins J. Sutter Mr McKay & Elias A. Coffman and other Thirsty inhabitants to Construct a

Toll Road have come to a favorable Conclusion and directed their Chairman to report that fact to the House and recommend its passage if the Time will permit – Report agreed to and Bill Committed to the Committee of the whole –

Mr Calder reported that the Committee on Internal Improvements have had under Consideration Council Bill No 121 Entitled an Act authorizing A. A. Buckland and his associates the right to Construct a Toll Road have come to a favorable Conclusion and directed their Chairman to report that fact to the House and recommend its passage Report agreed to and Bill Committed to the Committee of the whole –

Mr Calder reported that the Committee on Internal Improvements have had under Consideration Council Bill No 141 Entitled an act to authorize certain parties to Construct and maintain a Toll Road from the town of Aurora via Excelsior to San Antonio have directed their Chairman to report the bill to the House and recommend its passage Report agreed to and Bill Committed to the Committee of the whole

Mr Fisher reported that the Special Committee appointed to provide Compensation for the attaches of both Houses of the Legislative Assembly have had under Consideration the same – and report the accompanying Bill – entitled an Act to provide Compensation for the attaches of the Legislative assembly The Minority of said Committee ask that this Bill be committed to the Committee of the whole together with the Majority Bill – Robert Fisher –

Report agreed to

Message from the Governor –

Territory of Nevada
Executive Chamber Feby 17th 1864
To the Hon House of Representatives of the Territory of Nevada
Herewith return to your Honorable body in which it originated the act entitled "An act providing for a special term of the District Court in Lyon County" — Your Hon body will observe that the bill is imperfect in regard to the period of time at which the "special term of the District Court" provided for in the act is to commence —
Jas. W. Nye
Governor of Nevada Terr.

Mr Elliott moved the Bill together with the Governors Message be referred to a Committee of three — Carried —
Messrs Elliott McDonald and Wilson were appointed on said Committee —
Communication from the adjutant General — Mr Fisher moved the Report communication be laid on the Table — Carried —
Mr Gillespie moved it be placed on the Journal — Message from the Governor —
Territory of Nevada
Executive Chamber Feby 18th 1864
To the Hon. the House of Representatives of the Territory of Nevada —
I herewith transmit to your Hon Body a prospectus for a work of an interesting character to this Territory and commend it to your favorable consideration — If this Territory should become a subscriber for five hundred or a thousand copies for gratuitous circulation I think it would be a profitable investment —
Jas. W. Nye
Governor of the Territory of Nevada —
Message from the Council —
Council Chamber Feby 18th 1864

Mr Speaker Herewith transmit Concurrent Resolution as passed by the Council this day for your Concurrence

Resp P. G. Clark Secy Coun'l

Resolved — By the Council the House Concurring — That the sum of five Hundred dollars shall be given as an indemnity to A. D. Doolittle for making a map of the organized Counties of the Territory said amount to be paid upon the Completion of the work — Provided the same shall be done in one year from the passage of this Resolution —

Concurrent Resolution laid over one day — Mr Dixon Reported that the Committee to whom was referred House Bill providing for a special term of the District Court in Lyon Co together with the message of his Excellency the Governor, returning the same to the House Without his approval have had the same under consideration and have directed their Chairman to report the Bill back to the House complete by striking the words "23rd" and recommend its adoption Report agreed to, on Motion of Mr Mc Donald the Rules were suspended and Bill ordered to a third reading —

Message from the Council

Council Chamber Feby 17th 1864

Mr Speaker — Herewith transmit Council Bill No 153 An act granting D. B. Cook and others the right to construct and maintain a Toll Road — No 158 an act to grant to D. R. Egan and others the right to construct and maintain a Toll Road — No 169 An act to amend an act entitled an act to prevent certain officers from dealing in certain securities — Approved Dec 1862 — No 170 an act entitled an act defining the boundary line between the Territory of

Nevada and the State of California — No 168 an act to amend an act entitled An act to prohibit Gambling — No 172 An act to prevent disloyal persons from holding franchises or offices in the Territory of Nevada. No 174 An act to compell the attendance of witnesses before the U.S. Land office in contested cases — No 173 An act concerning acknowledgements and conveyances by Notaries Public —

Pres. P.S. Clark Secy Council

Council Bill No 153 — Mr Stewart moved the Rules be suspended and the Bill considered — Lost — Bill ordered returned to the Council — Council Bill No 158 ordered returned to the Council —

Council Bill No 169, Read first and second time referred to the Committee on Judiciary — Council Bill No 170 — Read first and second time — Referred to the Committee on Printing, Council Bill No 168 Read first and second time — On motion of Mr Dixon referred to the Committee of the whole —

Council Bill No 172 Read first and second time — On motion Committed to Committee of the whole —

Council Bill No 173 — Read first and second time — On motion Committed to Committee of the whole

Council Bill No 174 Read first and second time on motion Referred to Committee of the whole —

On leave Mr Gillespie offered the following Resolution — Resolved — That all Council Bills received this day or hereafter received from the Concurrence of the House be committed to the Committee of the whole unless otherwise specially ordered — Provided that Bills granting franchises shall be accepted from the provisions of this Resolution —

Resolution adopted —
Message from the Council
Council Chamber July 18th 1862
Mr Speaker. I have the honor to transmit to your Hon body for consideration Council Bill No 152 An act to provide for a Territorial Prison the same having passed the Council this day Resp P. G. Clark
Bill committed to Committee of the whole —
Message from the Governor —
Territory of Nevada
Executive Chamber July 18th 1862
To the House of Representatives of the Territory of Nevada —
I have this day approved and signed Bills which originated in the House of Representatives of the following titles viz: No 109 An act for the relief of D. J. Gastrin Sheriff of Ormsby Co — No 83 An act in relation to Probate Judges in certain Counties of the Territory No 79 — An act granting J. H. Mains and his associates their heirs and assigns the right to construct and maintain a Toll Road in Douglas and Lyon Counties — No 112 An act amendatory of and supplemental to an act entitled An act granting Moses Job Emanuel Beard their heirs and assigns the right to construct and maintain a Toll Road between the bridge of Carson River and Ruse River — approved Dec 19th 1862 No 44 An act to authorize Thos Nisbet his associates and assigns to keep and maintain a Toll Road — No 56 An act providing for the building of a Court House and Jail for the County of Lyon in the Territory of Nevada — No 46 An act amendatory of an act

to amend an act entitled an act Establishing a Common School System in the Territory of Nevada — approved Nov 29, 1861. Approved Dec 20 1862. — No 89 an act authorizing Thos M Suther his associates and assigns to construct and maintain a Toll Road Jam. W. Nye. Governor of Terr of Nevada

Third Reading of Bills —

House Bill entitled an act providing for a special term of the District Court in Lyon Co was read a third time and passed — ayes Messrs — Barclay Brumfield Calder Curler Dean Dixson Elliott Gillespie Gove Heaton Hess Hunter McDonald Nelson Phillips Stewart Tennant Trask Mr Speaker 19. Nays. None.

Council Bill No 90. An act authorizing A.C. Sawyer their associates to construct a Toll Road — Read a third time and passed — Ayes Messrs — Barclay Brumfield Calder Dixson Elliot Fisher Gillespie Gove Heaton Hess Hunter Jones Stewart Tennant Trask — 15 — Nays Messrs McDonald Nelson Phillips. 3.

Council Bill No 142 an act granting A.C. Sawyer and his associates the Right to construct a Canal from Truckee River to the Desert Mining District Read a third time and passed — Ayes Messrs — Barclay Brumfield Dixson Elliot Gillespie Fisher Gove Heaton Hunter Jones Tennant Trask Wagar, 13 Nays. Messrs. Clagett Thos McDonald Nelson Phillips Rigua Mr Speaker 7.

Council Bill No 115 an act granting a Franchise for a plank Toll Road out of the City of Virginia — Read a third time and passed — Ayes Messrs Brumfield Barclay Clagett — Curler Dean Dixson Elliott Fisher Gillespie Heaton —

Yeas Jones McDonald Nelson Phillips Rigua Stewart Tennant Trask Ingar Mr Speaker 21 Nays. Mess. Gov Hunter — 2 —
Mr Gillespie moved the vote be reconsidered — Mr McDonald moved the Reconsideration be indefinitely postponed — Carried —
Pursuant to previous Notice Mr Trask moved to reconsider the vote taken yesterday by which the Dayton water franchise was rejected — Carried —
House Bill No 423 an act supply the town of Dayton with water and to protect the town against fires — and define the Boundaries thereof — Read a third time and passed — Ayes, Mess. Barclay Calden Curlew Dean Dixson Fisher Gov Heaton Hess Hunter Jones McDonald Rigua Stewart Trask Ingar Mr Speaker 17 — Nays Mess Brumfield Clagett Elliott Nelson Phillips Tennant 6 — Reports of Committee — Mr Tennant reports that the Standing Committee on Enrollment have carefully compared the following entitled House Bills with the engrossed Bills as passed by the two Houses and found the same correctly enrolled — Viz —
No 57 an act authorizing Ministerial officers to appoint Deputies — No 59 an act to authorize certain persons to construct a Toll Road from Austin to the Junction of the Rio Virgin with the Colorado River — No 61 an act to organize the County of Churchill and for other purposes — No 128 an act Amendatory and Supplementary to an act Entitled an act to provide for the formation of Corporations for certain purposes — approved Dec 20 1862 — No 64 an act to incorporate the City of Virginia — No 89 an act authorizing

Thos M Sutton his associates and assigns to construct and maintain a Toll Road

Mr Lemmon Reports that the Standing Committee on Enrollment has transmitted to his Excellency the Governor the following Entitled House Bills for his approval July 17th 1862 — "viz"
No 9 An act for the relief of W. J. Gashwin Sheriff of Ormsby County
No 112 An act amendatory of and supplemental to an act granting Moses Job Emanuel Penrod their heirs and assigns the right to construct and maintain a Tole Road from the Sink of Carson River to Truckee River —
No 79 An act granting to D. W. Haines his associates their heirs and assigns the right to construct and maintain a Toll Road in Douglas & Lyon Counties
No 21 An act amendatory & an act to amend an act entitled an act establishing a Common School System for the Territory of Nevada — Approved Nov 29th 1861 — Approved Dec 20th 1862 — Noble An act providing for the Building of a Court House and Jail for the County of Lyon Territory of Nevada — On Previous Notice Mr Calder moved the vote taken on Removal of the Capital be reconsidered
Mr Heaton moved moved to ~~adjourn~~ a recess until 2.30 P.M. Lost.
Mr Gillespie moved the previous question — the question was then taken on Mr Calders Motion — to reconsider the vote by which the Bill removing the Capital passed ayes & noes called with the following Result — Ayes Messrs Brumfield Dixon Fishburn Gove Hess Hamlin Jones Phillips Stewart Trask — 11 —

Mes Mess. Allen Blagee Curler Elliott Gillespie Heaton McDonald Nelson Lemant Mugan Mr Speaker 11 — Lost. On motion of Mr McDonald the House took a recess until 2:30 P.M.

Afternoon Session.

The House was called to order at 2:30 P.M. Quorum present and business of the day resumed. Mr Partridge reports that the Standing Committee on Engrossment have carefully compared the following entitled House Bills with the original as ordered engrossed and found the same correctly Engrossed "Viz"

"House Bill No 90 an act providing for increased salary of the Probate Judge of Storey Co. No 92 an act to amend an act Entitled an act granting to certain persons the right to construct a railroad from the Western to the Eastern Boundary of the Territory of Nevada approved Nov 25" 1861 — Reports accepted and Bills ordered to a third Reading —

Message from the Council —

Council Chamber Feby 18" 1864

Mr Speaker — I have the honor to transmit to your Hon Body Council Bill No 183 an act providing for a special term of the District Court in Lyon Co. for your consideration — the same having passed the Council this day unanimously — I also return to your Hon Body the following House Bills to wit House Bill No 92 an act authorizing Lowe & Dexter and G. W. Baldwin to construct and maintain a toll Road in Esmeralda County House Bill No 97 — an act Pollock P. G. Gregory A. A. Smith their associates and assigns to construct a

Toll Road — House Bill No 106 an act to grant to Wm F. Kingsbury and others the right to construct a Toll Road in Roop County. House Bill No 105. an act granting to Moses P. Haynes and associates their heirs and assigns the right to construct and maintain a Toll Road from Clifton to the town of Amador — House Bill No 103 an act to grant J. P. Martin J. A. Martin. S. F. Yale — F. Yagliabin and others the Right to construct and maintain a Toll Road House substitute for Council Bill No 72 an act relative to the printing of the Session Laws of 1864 — The Council having passed the same this day without amendment to — Resp A. Whitford. Asst Secy Council.

Council Bill No 183 Read first and second time and upon motion of Mr McDonald laid on the Table — House Bills Nos. 92. 97. 106. 105. 103 172. ordered enrolled —

Message from the Council —

Council Chamber Feby 18th 1864

Mr Speaker — I herewith transmit for your approval Council Resolution passed unanimously this day.

Resp — P. G. Clark Secy Council

Resolved — Whereas the Assembly have passed a resolution to Exclude the consideration of Bills of a local and private character therefore be it resolved once by the Council that the House of Assembly be requested to rescind so much of said Resolution as may apply to the Exclusion of Bills originating in the Council and now in possession of the Assembly — On motion of Mr McDonald the Resolution was laid on the Table —

On motion of Mr Meaton the House took

into a Committee of the whole on the Revenue Bill - Mr Fisher in the Chair
Mr Fisher Reported that the Committee of the whole have had under Consideration House Bill entitled An Act Amendatory of and supplementary to an Act to amend an act entitled An Act to provide for assessing and collecting territorial and County Revenue Approved ~~Feb~~ 19th 1861 - have progressed - and have directed their Chairman to report the same back to the House and ask leave to sit again - And recommend it be made the special order for ~~11 O.C.~~ ~~this morning~~ to-morrow 10 a.m.
Mr Gillespie Called for a division of the question - granted. ~~and~~
The question was taken on granting leave to sit again Carried -
The question was then taken on making it the special order for 10 o'clock a.m. Ayes and Noes called with the following result -
Ayes. Messrs. Barclay Calder Clagett Hess Nelson Tennant Mr Speaker. 7.
Ayes Messrs Brumfield Callen Dean Dixon Elliott Fisher Gillespie Hoston Hunter Jones McDonald Phillips Stewart Trask Unger - 16. As two thirds vote being required the Speaker declared the question lost. On Motion of Mr Stewart House took a recess at 5 o'clock P.M -

Evening Session

House was called to order at 7 o'clock. Quorum present -
Message from the Council
Council Chamber Feby 18th 1864
Mr Speaker - I herewith return with House Bill No 198 an act to amend an act entitled an act granting to

certain persons the right to construct a railroad from the Western to the Eastern Boundary of Nevada Territory Approved Nov 25th 1861 — The same having passed the Council this day, ~~Bill ordered enrolled~~.

I also herewith return to your Hon Body House Bill No. 23, An act to encourage enlistments and give Bounties and extra pay to our Volunteer Soldiers with amendments. No 123 An Act to supply the town of Dayton in Lyon Co with water and protect the town against fire and define the Boundary Line of without amendment the same having passed the Council this day. Also House Bill No 90 An Act to incorporate the Virginia Gold Hill and Carson City Rail Road Company. No 3 An act concerning official Bonds — The last two bills having been indefinitely postponed this day — House Bill No 198 ordered enrolled — together with No 123 — House Bill No 23 with amendments of the Council — Considered — Mr Hecaloon moved the Bill be laid on the Table, Lost,

On Motion of Mr Stewart further consideration of the Council amendments to the Bill was dispensed with —

Message from the Council —

Council Chamber July 18th 1864

Mr Speaker, I herewith transmit for the concurrence of your Hon Body Council Bill entitled An Act Amendatory of and supplemental to an act entitled An Act to amend and supplemental to an act to provide for the assessing and collecting County and Territorial Revenue Approved Dec 20th 1862 —

Respy P. G. Clark
Secy Council

Council Bill No 185 - Read first and second time — Mr Phillips Moved the rules be suspended, and the Bill placed on its final passage — Ayes & noes with the following Result — Ayes Mess Brumfield Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones Phillips Stewart - Trask 13 Nays Mess Barclay Claggett Carter Hess McDonald Nelson Tennant - Wyan Mr Speaker. 9 —

It requiring a two third vote the motion was Lost — Mr McDonald Moved the rules be suspended and the Bill be made the special order for this Evening at 7 o'clock Ayes & nays with the following result — Ayes Mess Brumfield Carter Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Tennant Stewart Trask Wyan 17 — Nays Mess Barclay Calder Claggett Hess Nelson & Mr Speaker - 6 — Carried — House went into Committee on Council Bill No 185 —

Mr Fisher in the Chair —

Mr Fisher reported that the Committee of the whole have had under Consideration the Council Bill No 185 Entitled an Act Annuatory of and Supplementary to an act to Amend an act Entitled an act to provide for the assessing and Collecting Territorial and County Revenue for the Territory of Nevada — Approved Dec 20" 1862 Have made some amendments thereto and have directed their Chairman to Report the same Back to the House and recommend its passage — Mr Gillespie Moved the previous question — Carried —

Mr Claggett Moved this amendment offered in the Committee of the whole

~~Section~~ tion 4 — as follows,
~~Section 4 is hereby amended so as to read as follows~~ — Subdivision Ninth of sect 4 of said act is hereby amended so as to read as follows —
Ninth — Mines and Mining Claims provided that nothing in this section shall be so construed as to exempt from Taxation the quartz, Rock, earth, Ore, or material, of any kind and value whatsoever taken out of or secured from any mine or Mining in this Territory —
Ayes and Noes on its adoption —
Ayes, Messrs — Barclay Calder Clagett Cutler Hess McDonald Nelson Requa Truman Unger Mr Speaker 11 —
Nays Messrs Brumfield Dean Dixson Elliott Fisher Gillespie Heaton Hunter Jones Phillips Stewart Trask 13 —
Lost —
Mr Clagett Renewed his motion made in the Committee of the whole to amend section 4 as follows — Provided further that the Term Mine as used in this section shall only be construed to mean such Mining Claims as are productive, or out of which Metals or Metallic Ores can be taken —
Ayes & Noes upon its adoption —
Ayes Messrs Barclay Calder Clagett Cutler Dean Hess McDonald Nelson Requa Truman Unger Mr Speaker, 12,
Nays Messrs Brumfield Dixson Elliott Fisher Gillespie Grove Heaton Hunter Jones Phillips Stewart Trask, Lost,
Mr Clagett Renewed his motion made in the Committee of the whole — to amend Sect 4 — by adding —
Provided further that no Mining Claim in this Territory shall be subject to Taxation unless the same shall

have a cash value of twenty five dollars per foot — Ayes & noes upon its adoption — Ayes Messrs. Barclay Calder Clagett Cutler Hess Nelson Regua Sumant Ungar Mr Speaker 10 — Nays Messrs Brumfield Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 14 — Lost.

Mr Clagett renewed his motion made in the Committee of the whole adding provided further No Mining Claim shall be subject to Taxation unless the same shall have a cash value of Twenty dollars per foot — Ayes & nays Ayes Messrs Barclay Calder Clagett Cutler Hess Nelson Regua Sumant Ungar Mr Speaker. 10.
Nays Messrs Brumfield Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask, 14 Lost. — Mr Clagett renewed his motion made in the Committee of the whole adding Provided further no Mining Claim shall be subject to Taxation unless the same shall have a cash value of fifteen Dollars per foot Ayes & nays — Ayes Messrs Barclay Calder Clagett Cutler Hess Nelson Regua Sumant Ungar Mr Speaker 11 — Nays Messrs Brumfield Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 14 — Lost —

Mr Clagett renewed his motion made in Committee of the whole adding providing further No Mining Claim shall be subject to Taxation unless the same shall have a cash value of Ten Dollars per foot — Ayes & nays Ayes Messrs Barclay Clagett Calder Cutler Hess Nelson Regua Sumant Ungar Mr Speaker 11

Nays Mess Brumfield Dean Dixon Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 14 Lost.

Mr Clagett renewed his motion made in Committee of the whole adding providing further No Mining Claim shall be subject to Taxation unless the same shall have a Cash Value of five Dollars pr foot — Ayes & nays — Ayes Mess Barclay Calder Clagett Curler Miss Nelson Requa Sunderland Mr Speaker — 10 — Nays Mess. Brumfield Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 14. Lost —

Mr Clagett renewed his motion made in the Committee of the whole adding provided further No Mining Claim shall be subject to Taxation unless the same shall have a Cash Value of two and a half dollars pr foot — Ayes & nays — Ayes Mess Barclay Calder Clagett Curler Miss Nelson Requa Sunderland Sunderland Mr Speaker — 10 — Nays Mess Brumfield Dean Dixon Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 14 Lost —

Mr Clagett renewed his motion made in the Committee of the whole adding provided further No Mining Claim shall be subject to Taxation unless the same shall have a cash Value of one Dollar pr foot — Ayes & nays — Ayes Mess Barclay Calder Clagett Curler Miss Nelson Requa Sunderland Sunderland Mr Speaker — 10 — Nays Mess Brumfield Dean Dixon Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 14 Lost —

The question was then taken on agreeing to the report of the Committee — Ayes & Nays — Ayes Mess Brumfield Dean Dixson Elliott Fisher Gillespie Jones Gove Heaton Hunter Phillips Stewart Trask — 13; Nays Mess Barclay Calder Clagett Curler Hess McDonald Nelson Rigua Tennant Mugar Mr Speaker 11. Report agreed to and Bill ordered to a third reading —

Mr Gillespie moved the rules be suspended and the Bill ordered to a third reading forthwith — Ayes & Nays — Ayes Mess Brumfield Curler Dean Dixson Elliott Fisher Gillespie Gove Heaton Hunter Jones McDonald Phillips Stewart Trask 15 — Nays Mr Barclay Calder Clagett Hess Nelson Rigua Tennant Mugar Mr Speaker 9 —

A two third vote being required the question was lost —

Mr Fisher reported that the Committee of the whole have had under consideration House Bill No 84 — Entitled an act amendatory of and supplementary to an act entitled an act to provide for assessing and collecting Territorial and County Revenue Approved Dec 20 1862 — have not gone through therewith and have directed their Chairman to report the same back to the House and recommend its Rejection — Report agreed to and bill Rejected

Mr Stewart moved the House adjourned — Lost — Mr Clagett moved the House go into Committee of the whole on the Calendar — Mr Barclay moved to adjourn — Carried —

At 12:25 am — House adjourned —

Thirty Ninth Day —

Friday Feby 19th 1864 —

The House met pursuant to adjournment at 10 o. Clock A. M.

Roll Called — Present Mess Barclay, Brumfield Calder Carter Dixon Fisher Gillespie Gove Heaton Hess Hunter Jones McDonald Phillips Reyna Stewart Trask Mr Speaker Partridge — 19 —

Absent Mess Clagett Dean Elliott Nelson Sumant Dugar. 6.

Prayer by the Chaplain —

Mr Gillespie moved the rules be suspended and the Journal of the preceding day dispensed with —

The Speaker announced Reports of Standing Committees first in order

Mr Gillespie reported that the Committee on Printing have had under Consideration the Council Bill No — Entitled an Act defining the Boundary line between the Territory of Nevada and the State of California have Come to a favorable Conclusion thereon and have directed their Chairman to report the Bill back to the House and Recommend its passage — Report agreed to and Bill Committed to the Committee of the whole

Mr Heaton reported that the Committee on Ways & Means have had under Consideration Council Bill No 152 Entitled an act to Create a Contingent fund for the Auditor and Treasurers Departments have made some amendments thereto have directed their Chairman to report that fact to the House and recommend its passage Report agreed to — Mr Heaton moved the rules be suspended and the Bill placed on its final passage — Lost —

Bill Committed to the Committee of the Whole — Mr Lowe reports that the Committee ~~of the whole &c~~ on Engrossment have carefully compared the following Entitled House Bills with the original, an ordered engrossed and found the same Correctly Engrossed — No 211 — An act granting to Moses P. Haynes and Frank Perkins and Associates their heirs and assigns the right to Construct and maintain a Toll Road from Canyon City Lander Co. to the City of Austin in said County — No 209. An act in regards to the Salary of the Probate Judge ~~and~~ regarding the Records of Nye County — No 191. An act granting W.E. Hunter and others the right to Construct a Toll Road Bridge or ferry — No 202. An act to provide a fund for the Fire Department of the City of Virginia — No 182. An act authorizing L.B. Martinau and A.P. Catlin to Establish and maintain a Toll Road in the County of Lander — No 187 An act Amendatory of an act to amend an act in relation to the Militia of the Territory of Nevada Approved Nov 28" 1864 — No 189 An act to authorize Thos Boyd and associates to Construct and Maintain a Toll Road — Report agreed to and Bills ordered to a third Reading

Mr Lemaul Reports the Standing Committee on Enrollment have transmitted to his Excellency the Governor the following Entitled House Bills for his approval July 18" 1864 — No 89 An act granting J. M. Luther a Toll Road — No 128 an act Amendatory to an act providing for Corporations for Certain purposes —

No. 57. An Act authorizing Ministerial officers to appoint Deputies —
No. 59 An Act to authorize Certain persons to Construct a Toll Road from Austin to the Colarado River — No. 64 An Act to incorporate the City of Virginia — No. 65 An Act to organize the County of Churchill and for other purposes — An Act to provide for printing the Laws of the session of 1864 — T. J. Lumm C. C.

Mr Phillips reported that the Committee on Corporations have had under Consideration Council Bill No 153. Entitled An Act to incorporate the Masonic association of Austin — have come to a favorable Conclusion have directed their Chairman to report the same back and recommend its passage

Report agreed to Bill Committed to Committee of the Whole —

The Speaker announced Reports of select Committees next in order —

Mr Brumfield Reported that the Ormsby Delegation have had under Consideration House Bill No 210 — An Act to regulate the finances of Ormsby County, have perfected the Bill — have directed their Chairman to report and recommend its passage

Report agreed to Bill ordered to a third Reading —

Message from the Council

Council Chamber Feby 18 1864

Mr Speaker — I herewith transmit Council Bills Nos 145. An Act granting to Certain parties the Right to Construct a Toll Road No 113. An Act prescribing the Rules & Regulation of the Execution of the Trust arising under the Act of Congress entitled An Act for the Relief of Citizens of towns upon lands of the U. S. under Certain

circumstances. No 82. An act prescribing the mode of maintaining and defending possessory actions on Public lands in this Territory — No 182 An act changing the Boundary lines of Lyon County and for other purposes — H. B. No 110 "an act granting Alex Ash and others to construct a Toll Road the same having passed as amended.

Resp — Pls. Clark Secy —

Council Bill No 145 — laid on the Tabl —

Council Bill No 113 — Read first and second time committed to Committee of the whole, Council Bill No 12 Read first and second time and committed to Committee of the whole — Council Bill No 82. Read first and second time and committed to Committee of the whole — On Motion of Mr McDonald Rules were suspended — And Council Bill No 182 an act changing the Boundaries of Lyon County was ~~Read a third time and passed~~ — ordered to a third ~~days Reading~~ Reading —

The Question was taken on agreeing to Council amendment to H. B. No 110 —

Ayes — Mesrs Barclay Brumfield Calder Carter Dean Elliott Gove Heaton Hess Jones McDonald Phillips Stewart Tunnell Track Mr Speaker 16 —

Nays Mesrs Wilson Fisher Gillespie Pin Tilden 4 —

Carried — Bill ordered Enrolled —

On leave Mr Elliott presented a petition from the Citizens of American Flat praying to be segregated from the City of Gold Hill —

On Motion of Mr Elliott the rules were suspended — and Council Bill No 141 an act to

amend an act entitled an act to incorporate the town of Gold Hill, was ordered to a third reading

On leave Mr Fisher from the Committee on Expenditures presented the following Report

Your Committee to whom were referred certain Bills as follows, a Bill of A. J. Gilbert for copying laws allowed, $1111.

Bill of F. S. Whitney — $353.10

Bill to allow A. S. Powell for copying Rules of Order and Joint Rules of the House have disallowed this Bill from the fact that said labor was performed while said Powell had no services to perform as enrolling Clerk. we therefore your Committee deem his bill for that service an extortion — but have unanimously agreed to the justice of the Bills of Gilbert and Whitney —

Signed — Robt Fisher, R. E. Jones, Hiram Gear

Report agreed to On leave Mr Brumfield reported that the Committee on Judiciary have had under consideration Council Concurrent Resolution to provide for the amendment of the Organic Act and have directed their Chairman to report the same back and recommend its passage —

Report agreed to and bill committed to the Committee of the whole —

Mr Brumfield reported that the Committee on Judiciary have had under consideration Council Bill entitled an act to amend an act entitled an act to prevent certain officers from dealing in certain securities approved Dec 20" 1852 and have directed their Chairman to report the same back to the House

without recommendation — Report agreed to and Bill Committed to Committee of the whole —

Message from the Council

Council Chamber Feby 19th 1864 —

Mr Speaker — I have with to transmit Concurrent Resolution passed by the Council this day Thos P. Ls. Clark

Resolved — By the Council the assembly Concurring That the Joint Rule No 15 of the two Houses be and the same is hereby rescinded

On Motion of Mr McDonald the Rules were suspended and the Resolution adopted —

Third Reading of Bills —

House Bill No 110 — An act to regulate the Finances of Ormsby was read a third time and passed Ayes Mess Brumfield Calder Clagett Dean Dixson Elliott ~~Dean Dixson~~ ~~Elliott~~ Curlee Fisher Gillespie Gove Hess Hunter Jones McDonald Nelson Phillips Rigua Stewart Tennant Trask Unger Mr Speaker 22 — Nays — None —

Council Bill No 92 An act authorizing a Stream ~~and cut~~ thus the right to maintain a Toll Road and Bridge Read a third time and passed — Ayes Mess — Brumfield Clagett Curlee Dean Dixson Elliott Fisher Gillespie Gove Hess Hunter McDonald Stewart Tennant Trask Unger — 16. Nays Mess — Jones Nelson Phillips Rigua Mr Speaker 5 —

Council Bill No 185 — An act Amendatory of and supplementary to — An act Entitled An act to provide for assessing and Collecting Territorial and County Revenue — Approved Dec 20th 1862 — and passed Ayes Mess Brumfield Dean Dixson

Elliott Fisher Gillespie Goor Heaton
Hunter Jones Phillips Stewart Trask 13.
Nays Mess Barclay Calder Clagett
Curler Hess McDonald Nelson Riqua
Sennant Sugar Mr Speaker 11—
House Bill No 190 An Act to
increase the Salary of the Probate
Judge of Shoney County Read a third
time and passed — Ayes Mess
Barclay Brumfield Calder Clagett
Curler Dixon Elliott Fisher Gillespie
Goor Hunter Jones McDonald Stewart
Sennant Trask 16. Nays Mess
Clagett Hess Nelson Phillips Riqua
Mr Speaker 6. — House Bill No
189 an act to authorize Thos Boyd
his associates and assigns to construct
and maintain a toll Road — Read
a third time and lost.
Ayes Mess — Brumfield Dixon
Jones Stewart 5. Nays Mess
Barclay Calder Clagett Curler Elliott
Fisher Gillespie Goor Heaton Hess
Hunter McDonald Nelson Riqua
Sennant Trask Sugar Mr Speaker 18—
House Bill No 189 an act amendatory
of an act to amend an act in Re-
lation to the Militia of the Territory
Approved Nov 28th 1861 — Read a
third time and passed — Ayes Mess
Brumfield Calder Clagett Curler Dixon
Dixon Elliott Fisher Gillespie Goor
Heaton Hess Jones McDonald Phillips
Stewart Sennant Sugar Mr Speaker 19.
Nays. None. House Bill No 192
an act authorizing L. B. Martinson
and A. P. Catlin to construct and
maintain a Toll Road in the County
of Lander — Read a third time
and passed Ayes Mess Brumfield
Calder Clagett Curler Dixon Dixon
Elliott Fisher Gillespie Goor Heaton

Hess Hunter Jones McDonald ...
Stewart Lemmon Trask, 18.
Nays Mrs Wilson Phillips Regua
Mr Speaker 4—

House Bill No 212 An act to provide a fund for the fire Department of the City of Virginia Road.. a third time and passed—
Ayes Mess Barclays Brumfield Calder Clagett Cullen Dean Dixson Elliott Fisher Gillespie Gove Heaton Hess Hunter Jones McDonald Phillips Stewart Lemmont Trask Ungar—Mr Speaker 22. Nays Mr Regua — 1—

House Bill No 191 "An act to grant D. E Hunter his heirs associate and assigns the right to construct a Toll Road. Bridge or Ferry. Sec 1. amended by unanimous consent. Bill read a third time and passed Ayes Messrs Barclay. Brumfield, Calder. Clagett Cullen. Dean. Dixson. Elliott Fisher, Gillespie. Gove. Heaton. Hess. Hunter Jones. McDonald. Regua Stewart Lemmont, Trask. & Mr Ungar 21— Nays Mess Phillips & Mr Speaker—2.

House Bill No 209, "An Act regarding the Salary of the Probate Judge, and regarding the records of Tyre County," read a third time and passed. Ayes Messrs Barclay Brumfield, Calder, Clagett Dean Dixson, Elliott, Fisher, Gillespie Gove. Heaton. Hess, Hunter, Jones McDonald. Phillips. Regua. Stewart Lemmont. Trask. Ungar & Mr Speaker—22. Nayes—none— House Bill No 211, "An Act granting Moses P. Haynes and Frank Perkins the right to construct a Toll Road in the County of Lander read a third time and passed— Ayes—

Mesrs Calder, Clagett, Dean, Dixson, Elliott Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Stewart Lemmant, Isaak, Ungar & Mr Speaker. 18 — Nayes — Mesrs Nelson, Phillips Regua — 3 — Council Bill No 57. "An Act to provide a Charitable Fund for the Fire Department of the City of Virginia" read a third time and passed — Ayes — Mesrs — Barclay, Calder, Clagett, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Regua, Stewart Lemmand, Isaak, Ungar & Mr Speaker — 22 — Nayes — none — Council Bill No. 60 — "An Act to regulate the Fire Department of the City of Virginia" read a third time and passed — Ayes — Mesrs. Barclay, Brumfield, Calder, Clagett, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Lemmant, Isaak, Ungar & Mr Speaker — 22 — Nayes — none — Council Bill No. 182 — "An Act changing the Boundary line of Lyon and Churchill Counties" read a third time and passed — Ayes — Mesrs. Brumfield, Curler, Dean, Dixson, Fisher, Gillespie, Gove, Heaton, Hunter, McDonald, Nelson, Lemmant & Mr Speaker — 14 — Nayes — Mesrs Barclay, Clagett, Jones, Phillips, Stewart & Isaak. — 6 — Council Bill No. 94 — "An Act to amend an Act to incorporate the Town of Gold Hill Approved 1862" read a third time and passed — Ayes. Mesrs. Barclay, Brumfield, Calder, Clagett, Curler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, McDonald, Stewart, Lemmant, Isaak, Ungar,

and Mr Speaker - 20 - Nayes - Messrs. Jones Nelson & Mr Phillips - 3 -

Message from the Council

Council Chamber
Feb 19th 1864

Mr Speaker

I herewith transmitt Council Bills Nos 194 and 196 - No 194 - "An Act to legalize Conveyances made out of the Territory of Nevada" No 196 - "An Act to prevent Disloyal Persons from Voting" the same having passed the Council this day. Respt. P. G. Clark. Sect. Council

The Bills were read first and second time and committed to the Committee of the Whole - On Motion of Mr McDonald the rules were suspended and Council Bill No 194, "An Act legalizing the Conveyances made out of the Territory of Nevada" was read a third time and passed - Ayes. Messrs - Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Vingar & Mr Speaker - 23 - Nayes - none -

On Motion of Mr Phillips the rules were suspended and Council Bill No 87 - "An Act to create the Office of Coroner, for the County of Storey - and defining ~~their~~ his duties" was read a third time and passed. Ayes. Messrs - Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask Vingar & Mr Speaker - 22 - Nayes - Mr Elliott - 1 -

Introduction of Bills

On leave without previous notice Mr Dixson introduced a Bill - Entitled "An Act enlarging the boundaries of Lander County" Read first and second time and Committed to the Committee of the whole - Mr Barclay introduced a Bill Entitled "An Act Amendatory of Sec 28 - of "An act relating to the manner of Commencing Civil Actions Read first and second time and Committed to the Committee of the whole - On leave Mr Gillespie offered the following Resolution Resolved - that the House do now go into the final Consideration of the Bills on the General Calendar and that each section be read and subjected to amendment as in Committee of the whole, and when thus gone through with each Bill shall be placed on its final passage - Adopted - Reading of General Orders - House Bill Entitled "An Act supplemental to and Amendatory of an Act in relation to Elections and the mode of supplying vacancies Approved Nov 16 1861 was read a third time and passed - Ayes - Messrs - Barclay, Brumfield, Colder Culer, Dean, Dixson, Elliott, Gillespie, Love, Hess, Hunter, Jones, Nelson Phillips, Stewart and Ungar - 16 - Nays Messrs, Clagett, Fisher, & McDonald - 3 & Hask - 4 - Council Bill No - 5 - "An Act for the Encouragement and manufacture of minerals, On motion of Mr Elliott, the Bill was laid on the Table - Council Bill No - 13 - "An Act to Amend an Act Entitled "An Act to regulate proceedings in Civil Cases in Courts of Justice, Approved Nov 21st 1861"

read a third time and passed—Ayes Messrs—Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Stewart, Tennant, Trask, Ungar, & Mr Speaker—22. Nayes, Mr Phillips—1— On Motion of Mr Clagett, Council Bill No 27—"An Act authorizing the Mountain Torrent Gold and Silver Mining Company to change its place of business" was indefinitely postponed,

House Bill No 91—"An Act concerning Franchises" was read a third time and passed—Ayes Messrs Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask, Ungar & Mr Speaker—23—Nayes—none—

On motion of Mr Barclay House Bill No 102, "An Act to provide for the registration of Qualified Electors and to secure the purity of Elections" was indefinitely postponed—

On leave Mr Gove offered the following Resolution—Resolved—that as the present Session will close on to-morrow Evening and as there is yet a large amount of business before the House to be disposed of—that no member of this House shall be allowed more than once, and but five minutes to speak upon any one subject—adopted—On Motion of Mr Brumfield House Bill No 95—"An Act to Amend an Act entitled An Act to cause the several Counties to establish County boundries Approved Dec 1861—was laid on the Table—

House Bill No 122. "An Act to provide for the funding of the outstanding indebtedness of Lander County" was read a third time and passed - Ayes Mesrs Barclay Calder. Clagett. Carter. Dean. Dixson. Elliott. Gillespie. Gove. Heaton. Hess. Hunter. Jones. McDonald. Phillips Tennant Trask & Zenger - 18. Nayes - Mesrs - Brumfield. Nelson. Stewart & Mr Speaker - 4 - On motion of Mr Phillips House Bill No 136 - "An Act to provide for the publication of the decisions of the Supreme Court. and to appoint a Reporter" was indefinitely postponed.

House Bill No 169 - "An act to audit the Claim of L. E. Crane and to provide for the payment of the same" Mr Clagett moved the Bill be indefinitely postponed. Lost - the Bill was then read a third time and passed - Ayes - Mesrs Barclay. Carter. Dean. Dixson Fisher. Gillespie. Gove. Heaton. Hunter. Jones. McDonald. Phillips. Stewart. Tennant Trask & Zenger - 16 - Nayes - Mesrs - Brumfield. Clagett. Elliott. Hess. Nelson. & Mr Speaker - 6 -

On motion of Mr Elliott at 12.50 o'clk P.M. House took a recess -

Afternoon Session -

House called to order at 2 O'clock P.M.

Message from the Governor -

Territory of Nevada -

Executive Chamber -

Carson Feby 19th 1862 -

To the House of Representatives of the Territory of Nevada - I have this day approved and signed bills which originated in the House of Representatives of the following titles "viz" - An Act to organize the County of Churchill and for other purposes -

An act authorizing officers to appoint Deputies" An act to authorize certain persons to construct and maintain a Toll Road from the town of Austin in Lander Co to a point on the Colorado River at or near the Junction of the Rio Virgin with the same. "An Act to incorporate the City of Virginia - An Act Amendatory of and supplemental to an Act entitled an act to provide for the formation of corporations for certain purposes - approved Dec 28" 1862 - An Act Relative to the printing of the session laws of 1862 -

Jas W. Nye -
Governor of the Terr. of Nevada

~~Reading of Journal Orders~~ -

On Motion of Mr Clagett the Council Bill Relative to the Militia was transmitted back to the Council - Mr Partridge on leave reports that the Standing Committee on Engrossment have carefully compared the following Entitled House Bill as ordered engrossed and found the same correctly engrossed, "No 3" House Bill No 170 An Act to incorporate the Virginia and Chrysolite - Peak Rail Road Company

On Motion of Mr Clagett the Bill was Referred to the Committee on Internal Improvements with the instructions to report forthwith, striking out the name of Adolphus Mai[illegible] and inserting other parties -

House Bill No 83 An Act to repeal an act entitled An Act to authorize the County Commissioners of Esmeralda County to procure the transfer of certain Records and indexes of Mono County California -

Read a third time and passed —
Ayes Mess Barclay Brumfield Calder
Clagett Curler Dean Elliott Fisher
Gillespie Gove Healon Hess Hunter
Jones McDonald Nilson Phillips
Stewart Tennant Trask Ungar Mr Speaker
22 — Nays — None —
House Bill No 132 an act for
the relief of H. L. Joachimsen —
Read a third time and passed — Ayes
Mess Barclay Brumfield Calder Clagett
Curler Dean Dixon Elliott Fisher
Gillespie Gove Healon Hess Hunter
Jones McDonald Nilson Phillips
Stewart Tennant Trask Ungar
Mr Speaker 23. Nays. None —
House Substitute for Council Bill
No 106 an act for the relief of certain
person — Read a third time and pass-
ed — Ayes Mess Curler Dean
Dixon Elliott Fisher Gove Healon
Hunter Jones McDonald Phillips
Stewart Tennant Trask Ungar 13,
Nays Mess Barclay Brumfield —
Calder Clagett Hess Nilson Mr Speaker 7.
Council Bill No 83 — an act for
the relief of Israil Crawford —
Read a third time and passed —
Ayes Mess Barclay Brumfield Clagett
Curler Dean Dixon Elliott Fisher
Gillespie Gove Healon Hunter Jones
McDonald Phillips Stewart Tennant
Trask Ungar Mr Speaker — 20 —
Nay Mr Calder Hess Nilson 3 —
Message from the Council —
Council Chamber Feby 19th 1864
Mr Speaker I have the honor to
transmit to your Hon Body for
approval the following Council Bills
"viz" No 195 an act to provide for
the Compensation of the Attaches
of the Legislative Assembly — also

Council Bill No 194 - an act to provide payment to John G. Fox - and G. A. Koehn - for furnishing Newspapers to the members of the Council the same having passed the Council this day

Resp. A. Whitford Asst Secretary

Council Bill No 195 - Committed to the Committee of the whole -

Council Bill No 197 - Committed to the Committee of the whole -

Mr Calder Reported that the Committee on Internal Improvements have had under consideration House Bill No 170 an act to incorporate the Virginia and Chrystal Peak Rail-Road Company have amended the same as directed, and report the same back and recommend its passage -

On Motion of Mr McDonald the Bill was Read a third time and passed - Ays Messrs Barclay Brumfield. Calder, Delagate Carter Dixson Elliott Fisher Gove - Healon Hess McDonald Nelson Phillips Stewart Wagen Mr Speaker 17. Nays Messrs Hunter Jones. Tennant 3 -

Mr Dixson gave notice he would on tomorrow move a reconsideration of the vote just taken -

Mr McDonald Moved to reconsider Mov. Mr. Fisher moved the reconsideration be indefinitely postponed - Carried -

On Motion of Mr McDonald the rules were suspended and Council Bill No 194 was taken out of its regular order - Council Bill No 194 an act to audit the Claim of John G. Fox and G. A. Koehn -

On Motion of Mr Fisher the Bill was referred to the Committee on Proceedings of the House, with

instructions to amend and report as soon as practicable — Council Bill No 195 An act to provide increased Compensation to the attaches of the Legislative assembly. Read first and second time — And on Motion of Mr Brumfield the Bill was referred to a special Committee of three with instructions to amend and report as soon as practicable —

Mr Speaker appointed Mrs Fisher Barclay & Brumfield on said Committee —

On Motion of Mr Clagett the rules were suspended and Council Bill No 173 — An act Concerning acknowledgements and Conveyances by Notaries Public was taken out of its regular order and referred to the Judiciary Committee with instructions to report the Bill complete —

Council Bill No 119 An act defining the salary of the Probate Judge of Washoe County — was read a third time and passed — ayes Mrs Adam Carlin Dixson Fisher Gillespie Gove Heaton Hess Hunter Jones McDonald Nelson Phillips Tennant Tasker Mugar Mr Speaker — 17 — Nays None —

House Bill No 172 — An act to provide for a Territorial Prison. Laid on the table —

Mr Fisher from the special Committee Reported Council Bill No 197 An act to audit the Claim of John S. Fox and S. A. Roathe and provide for the payment of the Claim

Amended as per instructions — Read a third time and passed — ayes Mrs Barclay Brumfield Calder Carlin Dean Dixson Fisher Gove Heaton Hess Hunter Jones McDonald Nelson Phillips Stewart —

Lemuel Trask Ungar Mr Speaker 20
Nays. None.
Council Bill No 184. An Act to provide for a Territorial Prison
Mr Clagett moved the Bill be indefinitely postponed — Lost —
Mr Clagett moved the Bill be laid on the Table — Lost —
The Bill was then Read a Third time and passed —
Ays Mrs Barclay Brumfield Calder Curler Dean Dixson Elliott Fisher Gillespie Grove Healon Hess Hunter Jones McDonald Phillips Stewart Trask Ungar — 19 —
Nays Clagett Nelson Lemuel Mr Speaker 4 —
Message from the Council —
Council Chamber Feby 19th 1864
Mr Speaker — I have with Pleasure sent Council Bill No 33 — the same having been returned by the Governor and amended by the Council —
Resp. P. G. Clark Secy
On Motion of Mr Dixson Council Amendments Concurred in unanimously
Mr Barclay from the Special Committee reported Complete the Bill entitled an act to provide Compensation for the Attaches of the Legislative Assembly
Mr Gillespie moved the word Reporters be stricken out of the Bill — Lost —
The Bill was then read a third time and passed. Ays Mrs Barclay Brumfield Calder Clagett Curler Dean Dixson Fisher Grove Hess Jones McDonald Nelson Stewart Lemuel Trask Ungar Mr Speaker 18.
Nays Mrs Gillespie Hunter Phillips 3 —
On Motion of Mr Curler the House took a Recess at 4.45 o'clock P. M. —

Evening Session —
House Called to order at 7 o'clock P. M. —

Message from the Council —
Council Chamber Feby 19th 1862
Mr Speaker — I herewith return House Bills as follows the same having passed the Council this day —
No 211 An Act granting Thomas P. Haynes and others the right to Construct and Maintain a Toll Road
No 191 An Act granting to W. E. Hunter and others the right to Construct and Maintain a Toll Road Bridge or Ferry
No 212 "An Act to provide a Fund for the fire Department of the City of Virginia —
No 182 An Act to grant to T. B. Martineau and others the right to Construct and Maintain a Toll Road
No 190 An Act providing for increasing the Salary of the Probate Judge of Storey County —
Resp — P. G. Clark Secy
House Bills Nos 211 — 191 — 212 — 182 — 190 — ordered enrolled —
Mr Tunnant moved to reconsider the vote by which House Bill No 198 was indefinitely postponed — Carried —
And House bill No 198 An Act Entitled An Act to authorize Thos Boyd and associates to Construct and Maintain a Toll Road — was then read a third time and passed — Ayes Mess Barclay Brumfield Curler Dixson Gove Heaton Jones McDonald Roper Stewart Tunnant Truax Ungar — 13 — Nays Mess Leadon Blight Dean Hess Phillips Mr Speaker — 7. Bill ordered enrolled — Message from the Council
Council Chamber Feby 19th 1862
Mr Speaker I herewith return House Bill No 23 An Act to encourage enlistments and give Bounties and extra pay to our Volunteer Soldiers the same

having passed the Council as engrossed — Respn P. G. Clark Secy
Mr McDonald moved Council amendments be concurred in — Lost —
Mr Clagett moved a Committee of three be appointed to confer with a like Committee of the Council on the Council amendments — Carried —
Messrs Calder Clagett & Stewart were appointed on said Committee —
Bill ordered transmitted to the Council — with a message informing it of the action of the House
On leave Mr Elliott introduced a Bill entitled An Act Concerning Conveyances — Read first and second time and referred to the Committee of the whole — On leave —
Mr Elliott Reported that the Committee on Judiciary have had under Consideration Council Bill No 216 — Entitled An act Concerning acknowledgements of Conveyances by Notaries Public — have made some amendments thereto — and have directed their Chairman to report the same back to the House adopted according to instructions and recommend its passage —
Bill Read a third time and passed —
Ayes Messrs Brumfield Calder Clagett Carter Dean Dixon Elliott Fisher Gover Heaton Hess Jones McDonald Nelson Phillips Rigua Stewart Tennant Trask Unger Mr Speaker 19 —
Nays — None — On leave Mr Brumfield introduced a Bill entitled An Act to provide for the payment of the pecuniary services of Chas Carter late Messenger of the assembly — Read first and second time and on motion of Mr Brumfield the rules were

suspended and the Bill ordered to a third reading — Read a third time and passed — Ayes Messrs Barclay Brumfield Calder Carter Clagett Dean Dixson Elliott Fisher Gove Heaton Hess Hunter Jones McDonald Nelson Requa Stewart Tennant Trask Phillips Sugar and Mr Speaker. 23. Nays. None.

Council Bill No 49 an act to incorporate the Austin Christian association — Called up — and on motion of Mr Dixson referred back to the Senator Delegation

Council Bill No 53 — An act to provide increased Compensation for the Territorial Auditor Read a third time and passed — Ayes Messrs Barclay Calder Carter Dixson Elliott Fisher Gillespie Gove Hess Hunter Requa Tennant & Sugar ~~Mr Speaker~~ 13 — Nays Messrs Brumfield Clagett Dean Jones McDonald Nelson Phillips Stewart Trask Mr Speaker 10 —

Message from the Council

Council Chamber Feby 19th 1882

Mr Speaker — I have the honor to transmit to your Honorable Body Council Bill No 195 an act to provide for the Compensation of the attaches of the Legislative Assembly the Council having concurred in all the amendments made by your Honorable Body except that of paying the Reporters the Council having stricken out the same and transmit the same for your approval —

Ralph A. Whitford Asst. S —

Mr Barclay moved the bill be laid on the Table — Lost —

The question was then taken on adhering to the House amendments Carried — On Motion of Mr McDonald a Conference Committee of three were appointed to confer with a like Committee of the Council — Messrs McDonald, Fisher Stewart were appointed on said Committee — Mr Stewart Moved the Council be requested to appoint a Committee of three to confer with the Committee of the house — Carried —

Council Bill No 146 — An act for the relief of Butter Cove Boundary Commissioners was read a third time and passed Aye. Messrs. Barclay Calder Clagett Cuiler. Dean. Dixon Elliott. Fisher. Gillespie. Gove. Heaton. Hunter. Jones. McDonald. Nelson. Regua Stewart Tennant. Unger & Mr Speaker — 20 — Nays. Messrs Brimfield. Phillips. Frask. — 3 —

Mr Dixon from the Lander Delegation reported back to the House, Complete, according to instructions the Bill entitled "An Act to incorporate the Austin Christian association". The Bill was then read a third time and Lost — Ayes — Messrs Brimfield. Dixon. Elliott. Gillespie. Gove. Hess. Hunter. Jones. McDonald Tennant — 10 — Nays — Messrs Calder. Clagett. Cuiler. Dean. Fisher. Heaton Nelson. Phillips. Regua. Stewart, Frask. Unger. & Mr Speaker. — 14 —

Mr Phillips moved to adjourn Lost — Council Bill No 63 An act defining the salary of the Probate Judges. and Prosecuting attorneys of Esquimalt and Lyall Counties — Was read a third time and passed — Ayes

Messrs Barclay Brumfield Calder
Clague Curler Dean Dixson Elliott
Fisher Gove Heaton Hess Hunter
Jones McDonald Nelson Phillips
Stewart Tennant Trask Ungar
Mr Speaker 22. Nays - None -

Council Bill No 54 an act to amend an act entitled an act for the election of Probate Judges and prosecuting attorneys and defining their duties approved Dec 19 - 1862 Read a third time and passed -

Ayes Messrs Barclay Brumfield Calder Curler Dean Dixson Elliott Fisher Gillespie Gove Heaton Hess Hunter Jones McDonald Rigua Stewart Tennant Trask Ungar Mr Speaker 21 - Nays None.

Message from the Council -
Council Chamber Feby 19 -

Mr. Speaker - I have the honor to inform your Hon Body that the Council have appointed as Committee of Conference on Salary Bill Messrs Coddington & Thompson who are now ready to confer -

At 8.50 P.M. House took a recess for ten minutes

The House was called to order at 9 o'clock P.M.

Mr Calder from the Committee on Conference presented the following Report

Mr Speaker - The Committee of Conference to whom was referred the Bill entitled an act to encourage enlistments and give Bounties and extra pay to our Volunteer Soldiers beg leave to report that they have had the same under consideration made some amendments thereto and report the same back Completed -

and recommend its passage as amended Signed R. P. Sheldon A. Lewis. Messrs Clagett - Calder - Stewart - The Bill was then read a third time and passed - Ayes. Mess. Barclay Brimfield Calder Clagett Curler Dean Dixson Elliott Fisher Gove Healon Hess Hunter Jones McDonald Nelson Riqua Stewart Sumant Trask Ugar Mr Speaker. 22. Nay Mr Phillips - 1 -

Mr Fisher from the Committee of Conference reports as follows,

Mr Speaker — The Conference Committee to whom was referred an act Entitled An Act to provide Compensation for the attaches of the Legislature report that they have had the same under consideration and they have been unable to agree — A Majority of said Committee have reported said Bill back as it stood before it was sent to the Council and recommend its passage

Well Stewart, J. McDonald

Robt. Fisher —

The question was then taken on adhering to the House Amendment —

Ayes. Mess Barclay, Brimfield. Calder, Curler. Dean, Fisher. Gove. Jones, McDonald, Stewart, Mr Speaker 11 -

Nays, Mess Clagett, Dixson, Elliott. Gillespie, Healon, Hess, Hunter, Nelson, Phillips, Riqua. Sumant, Trask Ugar 13 - Lost. And House amendment including Reporters in the Attaches Bill Received from —

House Bill No 27 (substitute for) an act for the establishment of the Burra Seminary and Polytechnic College -

On Motion of Mr Clagett the Bill was indefinitely postponed —

Message from the Council —

Council Chamber Feby 19th 1864

Mr Speaker — I have with the return House Bill No 170 — An act incorporating the Virginia and Chrystal Park Rail Road Company — the same having passed the Council amended as follows — Provided the said road shall not run between any points named in and shall not interfere from with the provisions of any act heretofore granting a Rail Road franchise — Resp. P. G. Clark —

On Motion of Mr McDonald Council amendments were concurred in — & Bill ordered Enrolled —

Council Bill No 58 an act to Exempt Fire Men from Militia Service and Jury Duty — Read a Third Time and passed

Ayes Mess Barclay Brumfield Calder Clagett Dean Dickson Elliott Fisher Isaac Neaton Newton Jones McDonald Nelson Phillips Stewart Tennant Trask Mr Speaker 19 —

Nays Mess. Reese, Regan 2 —

Message from the Council —

Council Chamber Feby 19th 1864

Mr Speaker — I have the honor to return to your Honorable Body the following Bills House Bill No 160 Substitute for Council Bill No 126 — An act to provide payment for certain Expenses incurred by the Constitutional Convention without Amendment — Also House Bill No 200 an act to regulate the finances of Ormsby County with the Amendments —

Resp — A. Whitford Asst Secy

House Bill No 160 ordered enrolled — House Bill No 200 as amended by Council was upon Motion of Mr Brumfield referred to the Ormsby Delegation

House Bill No 133 an act to provide for taking the census and statistics of the Territory and to provide for the apportionment of Representatives in the Legislative assembly — Read a third time and passed —

Ayes Mesrs Barclay Brumfield Cragett Curlew Dean Dixon Fisher Gillespie Heaton Hunter Phillips Regua Stewart Sumant Trask Wigar Mr Speaker 17 —

Nays Nelson, 1

Mr Fisher in the Chair —

Council Bill No 50 Intitled an Act to incorporate the Washoe Agricultural, Mining, and Mechanical Society — Read a third time — and Upon Motion of Mr Dean was indefinitely postponed.

Mr Dunnans moved the vote be reconsidered —

Mr Cragett moved the motion to reconsider be indefinitely postponed Carried

Message from the Council

Council Chamber Feby 19th —

Mr Speaker — Have with return House Bill No 23 — an Act to allow Extra pay to our Volunteer Soldiers the same having passed with House Amendments

Resp — P. G. Clark Secy

Bill ordered enrolled —

Message from the Council

Council Chamber Feby 19th

Mr Speaker — Have the honor

to transmit to your Hon Body the following Council Bill, Returned by the Governor with instructions the Council having amended the same Resp. P. S. Clark.

On Motion of Mr Blagett the Council amendments were concurred in.

Council Bill No 62 An act to provide for the Proof and transfer and Conveyance of Mining Claims prior to the 12th Dec. 1862. Read a third time and passed Ayes Mess Barclay Perrumfield Blagett Dean Dixon Elliott Fisher Gillespie Heaton Hunter McDonald Nelson Rigna Sumant 14 Nays None.

Message from the Council Council Chamber Feby 19th 1864

Mr Speaker — Herewith Return to your Hon Body the following House Bills the same having been indefinitely postponed by the Council — Nos 13 — 25 — 189 — 183 — Also No 99 — an act Relating to County Commissioners and defining their duties the same having passed with amendments Also No 132 An act for the relief of H. L. Joachimsen the same having passed without amendment — Resp P. S. Clark

On Motion Council amendments to House Bill No 99 — Concurred in — and ordered enrolled — Also No 132 ordered enrolled

On motion of Mr Blagett House adjourned at 11:40. P.M.

Fortieth Day.

Saturday Feby 20th 1864

The House met Pursuant to adjournment at 9 o'clock. A.M.
Roll Called, Present, Mess Barclay Brumfield Calder Cutler Dean Fisher Goor Nelson Phillips Rogers Stewart Tennant Trask Wager Partridge Mr Speaker - 16 - Absent Mess Blagett Gillespie Elliott Dixon Heaton Hess Hunter Jones McDonald 9
Mr Phillips moved a Call of the House
The Sergeant at arms was instructed to arrest the absentees and bring them forthwith to the House -
Mr Gillespie Came forward and was excused - Mess Heaton Dixon. Hunter. Came forward and were Excused - Report of Standing Committees - Mr Goor reports the following entitled House Bills Correctly Engrossed - "Viz" - House Bill No 228 an act to provide for the payment of the per Diem services of the late Martin Parker as late Messenger of the assembly - Bill ordered Enrolled - Mr Brumfield from the Orleans Delegation report the Committee composed of the Orleans Delegation to whom was referred the Council Amendment to the House Bill An Act to regulate the finances of Orleans County report the same to the House and recommend that the House concur in the amendment of the Council by striking out of section One all after the word legalize and before the word provided And your committee recommend that the House do not concur in the Council Amendment which is in the words and -

figures - "The levy of a Tax of 2 per Ct by said Commissioner in 1862 is also legalized and also all proceedings under said levies of 1862 & 1863 ~~have~~ heretofore or which may hereafter be taken in collecting such assessment of 1862 and 1863. Wm H. Brumfield. Nell Stewart

Report agreed to and amendment of Council concurred in —

Mr Hess came forward and was excused. Mr Leonard Reports the following House Bills ~~transmitted to the Governor.~~ "No 2" Feby 9th 1864 —

No 12 3. An act to supply the town of Dayton in Lyon Co with water to protect the town against fire and define the Boundaries thereof. No 198 An act amendatory to an act entitled An act granting certain persons the right to construct a rail road from the western to the Eastern Boundary of Nevada Territory approved Nov 25th 1864 — No 103 An act to grant J. P. Martin F. Tagliabue and others the right to construct a Toll Road — An act to provide for a special Term of Court in Lyon Co.

Y. D. Lemmon — Chairman —

Mess Elliott, Jones & McDonald came forward and were sworn.

On leave Mr Fisher introduced a Bill entitled An act for the relief of Saul Clemens and Barrack Asham Read first and second time and on motion of Mr Fisher the rules were suspended and the Bill ordered to a third Reading.

Mr Blagett came forward and was examined — On motion of Mr Fisher all further proceedings under the call of the House were dispensed with —

An Act for the relief of Saml. Clemmins and Barrach Ashein
Read a third time and passed —
Ays Mesrs Barclay Brumfield Calder Curler Dean Dixson Fisher Gove Heaton Jones McDonald Stewart Sumauhmuger Mr Speaker 15 —
Nays Mesrs Cagnet Elliott Gillispie Nelson Phillips Rigua Trask 7.
Message from the Council —
Council Chamber Feby 20
Mr Speaker. I have the honor to transmit to your Hon Body the following Council Bill for your consideration —
An Act to allow appeals of forcible Entry and unlawful detainer —
A. Whitford. Secy
The Bill was read first and second time and on motion of Mr Elliott the rules were suspended and the Bill ordered to a third reading — Bill Read a third time and passed —
Ays Mesrs. Barclay Brumfield Calder Dean Dixson Elliott Fisher Gillispie Gove Heaton Hunter Jones McDonald Nelson Phillips Rigua Stewart Trask Sugar Mr Speaker 20. Nays — None —
Message from the Council
Council Chamber Feby 20
Mr Speaker — I have the honor to transmit to your Hon Body Council No 12B — An Act to provide for Miners Hospitals in certain Counties — Also return the following House Bills —
No 184 — An Act amendatory of An Act to amend an act in relation to the Militia of the Territory of Nevada approved Nov 28th 1861.

The same having passed the Council.
Also transmit the following House Bills. The same having been indefinitely postponed. House Bill No 186 An act to locate permanently the seat of Government of Nevada Territory also an act to provide for taking the census and statistics of the Territory and for the apportionment of Representatives to the Legislative assembly.
Whitford Asst Secy
Council Bill No 23 Read first and second time and committed to the Committee of the whole.
House Bill No 187 Passed enrolled.
Message from the Council
Council Chamber Feby 20th 1863.
Mr Speaker, I am directed by the Council to request that your Honorable Body will return to the Council House Bill entitled An act granting Thos Boyd and others the right to construct a Toll Road.
The same having been indefinitely postponed in the Council yesterday
Rep P. L. Clark
Mr Barclay reports the following entitled House Bill Correctly enrolled — "Viz". An act to incorporate the Virginia and Chrystal Peak Rail Road Company
Mr Love from the Special Committee on Engrossment reports as follows. House of Representatives Territory of Nevada 1863—
Mr Speaker — As Chairman of your Standing Committee on Engrossing, I do hereby certify to you that R. D. King Jr. and assistants have Rendered this House

42 days actual service as such engrossing Clerk. Signed J. C. Partridge Hiram Grove Neil Stewart Wm. M. Gilles Jr.

Mr Fisher in the Chair –

On motion of Mr McDonald the rules were suspended and Council Bill No 125. "An Act for the Protection of Miners, and the opening and development of mines" was taken up out of its regular Order. Mr Simmons moved to strike out the Enacting clause – Lost – Mr Simmons moved the Bill be re-referred to the Committee on Judiciary – Carried – and Bill so referred.

Message from the Council

Council Chamber
Feb 20th 1864

Mr Speaker

The Council refuses to concur in amendments made in your Hon Body to House Bill No 210. herewith returned (viz) "An Act to regulate the Finances of Annsby County." The Council has appointed a Committee of Conference on said Bill. Messrs Berry and Ogden –

Resp.t P. G. Clark
Sec.t Council

On motion of Mr Brumfield a Committee of Conference (Composed of Messrs Brumfield, Jones and Blazett) was appointed ~~by the Speaker~~, on the part of the House to confer with Council Committee.

Message from the Council

Council Chamber Feb 20th 1864

Mr Speaker

I have the honor to return to your Hon Body House Bill No 210. "An Act to authorize Thos. Boyd and associates the right to construct a Toll Road" the Council having passed the same amended as follows, by striking out the name of "Thos. Boyd" and inserting the name of "Jas. Faulkner"

Resp.t A. D. Whitford Sec. Council

On motion Council amendments concurred in and Bill ordered Enrolled

Mr Gove moved the Rules be suspended and Council Bill No 145 be taken up out of its regular order – Lost –

House Bill No 4 "An Act to provide for the order in which Territorial and County Warrants shall be paid and the rate of interest they shall bear" was amended and transmitted to the Council

Mr Barclay moved to take the Council Concurrent Resolution relating to the publishment of a Territorial map from the Table – Lost –

Council Bill No 169 – "An Act to amend an Act Entitled An Act to prevent Certain Officers from dealing in Certain Securities, was read a third time and lost – Ayes – Mesrs Cutler, Fisher Gillespie, Hunter, Trask & Mr Speaker – 6 – Nayes – Mesrs – Barclay, Brumfield, Blagett, Dean, Dixson, Elliott, Gove, Jones Mc Donald, Nelson, Phillips, Stewart, and Mr Ungar, 13 – Council Concurrent Resolutions to provide for the amendment of the Organic Act – was amended – read a third time and passed – Ayes – Mesrs – Barclay, Brumfield, Calder, Dean Dixson Elliott, Fisher, Gove, Hunter, Nelson, Stewart, Tennant, Trask & Mr Speaker – 14 Nayes – Mesrs – Jones, McDonald and Phillips – 3 – Message from the Council

Mr Speaker

The Council desire Your Hon Body – to return House Bill entitled "An Act for the Location of the Capital of Nevada Territory"

Respt P. G. Clark Secy Council

Council Chamber
Febro 20th 1864

Mr McDonald moved the Bill be returned.

Mr Stewart moved the communication be indefinitely postponed. Lost — The question was then taken on Mr McDonald's motion — ayes — Messrs — Barclay, Calder, Clagett, Elliott, Gillespie, Heaton, McDonald, Nelson, Lemmant, Ungar & Mr Speaker — 11 — nayes — Messrs — Brumfield, Cutler, Dean, Dixson, Fisher, Gove, Hunter, Jones, Phillips, Stewart & Trask — 11 — Lost —

Message from the Council

Council Chamber Feb 20th 1864

Mr Speaker

I herewith return House Bill No 4, the Council having concurred in House amendments thereto —

Respt P. G. Clark Sect Council

Bill ordered transmitted to the Governor

Mr Stewart moved the rules be suspended and the Franchise "granting D. B. Cook the right to construct a Toll Road" be taken up out of its order — Lost —

Mr Gove from the Select Committee presented the following report —

"Territory of Nevada

To C. T. Rice Dr

For Ten Days services in engrossing Bills during 3rd Session of the Legislative Assembly — — — $120.00

We certify the above to be correct

Signed Abram Gove, Pell, Stewart & S. E. Jones

Mr Lemmant — Reports that the Standing Committee on Enrollment delivered the following entitled Bills to his Excellency the Governor, for his approval on the 20th Inst

House Bill No 170 — "An Act to incorporate the Virginia and Crystal-Peake Rail Road Company" No 186 — "An Act to grant to Wm C. Kingsbury and others the right to construct and maintain a Toll Road in Roop Co

No. 101 - "An Act to amend An Act entitled An Act relating to Wild Game and Fish Approved Nov 21st 1861 - No 156 - "An Act to increase the Salary of the Probate Judge of Esmeralda County" No. 92 - "An Act Authorizing E. Dexter, J. W. Dexter and S. M. Baldwin to construct and maintain a Toll Road in Esmeralda County" No - 110 - "An Act to authorize Alex Ash his associates and assigns to construct a Toll Road" No 190 - "An Act providing for the increasing the Salary of the Probate Judge of Storey County" No - 181 - "An Act Entitled An Act to provide for the Election of Probate Judges and Prosecuting Attorneys, and defining their duties Approved Dec 19th 1862 No. 105 - "An Act granting to Moses P. Haynes and associates their heirs and assigns the right to construct a Toll Road from Clifton to the Town of Aurador, No 97 - "An Act authorizing Peniander Pollock, P. G. Gregory, A. A. Smith their ~~associates~~ associates and assigns to construct a Toll Road - No 191 - "An Act to authorize S. A. St Blair & S. S. McClellan to keep and maintain a Toll Bridge at a point known as the upper sink Crossing of Old River in Churchill County N. S. No 132 An act for the relief of A L Joachimsen No 124 An act to incorporate the City of Austin

Council Bill No 114 An act authorizing Chattle Mortgages, was read a third time and passed Ayes Gentlemen Boompard, Calder, Curler, Dean, Dixon, Elliott, Gillespie, Gow, Heaton, Hunter, Jones, McDonald, Nelsonne Stewart 14, Nays, Messrs Clagett, Fisher, Phillips Trask and Unger 5,

On motion of Mr Dean House took a recess at 12 O'Clock M.

Afternoon Session House was called to order at 1 O'Clock, P.M.

Message from the Governor

Territory of Nevada
Executive Department
Carson Feb 20th 1864

To the Hon the House of Representatives of the Territory of Nevada

I return herewith House Bill No 92 for correction – it has no title

James W Nye
Governor of Nevada

The Bill was referred to the enrolling Committee with instructions to correct the same from the engrossed copy

Message from the Governor
Territory of Nevada
Executive Department
Carson City Feb 20th 1864

To the Hon the House of Representatives of the Territory of Nevada

I have this day approved and signed Bills which originated in the House of Representatives of the following titles, viz: An Act to amend an act entitled an act granting to certain persons the right to construct a Rail Road from the western to the Eastern boundaries of the Territory of Nevada, Approved Mar 25th 1861

An Act to grant to J P Martin, P A Martin L F Gatt, F Taylibain and others the right to construct and maintain a toll road.

An Act to supply the town of Dayton in Lyon County with water & protect the same against fire and define the boundaries thereof.

An Act to provide payment for certain expenses incurred by the Constitutional Convention

An Act for the relief of H L Joachimson

An Act to incorporate the City of Austin

James W Nye
Governor of the Territory of Nevada

Minutes of the 38th day read and approved

Mr Blagett reported that the committee on Judiciary have had under consideration Bill No 204 Entitled An act for the protection of Miners in the opening and developing of mines, and have directed their Chairman to report the accompanying Bill Entitled an act for the encouragement of Mining back to the House as a substitute for Council Bill and recommend its passage

Report agreed to - read the third time and passed

Ayes Messrs Barclay, Blomfield, Blagett, Carlin, Dean, Dixon, Elliott, Fisher, Gillespie, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask & Mr Speaker 20

Nays none.

On Motion of Mr Blagett the original Council Bill was indefinitely postponed.

On Motion of Mr Dixon the rules were suspended and the House Bill, An act enlarging the boundary of Landis County and defining the same was read by section and amended. On Motion of Mr Carlin the Bill was indefinitely postponed.

Message from the Council

Council Chamber

Feb 20th 1864

Mr Speaker,

I herewith transmit Council Bill No 213 An act amendatory of an act to issue Bonds and Coupons.

P G Clark
Sec Council.

On motion of Mr Elliott, rules suspended and the bill read a third time, and passed.

Ayes Messrs Barclay, Blomfield, Carlin, Blagett, Dean, Dixon, Elliott, Fisher, Gillespie, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Phillips, Stewart, Tennant, Trask & Unger - 20. Nay, Speaker 1

On leave Mr Phillips introduced a bill Entitled an act to amend an act, Entitled An act to provide for the appointment of Notaries Public, and defining their duties

Approved Feb 1864

On motion of Mr Blagett the rules were suspended, the bill read a third time and passed, Ayes, Barclay, Bonnifield, Calder, Blagett, Cowles, Dean, Elliott, Dixson, Fisher, Lyon, Heaton, Hess, Hunter, Jones, McDonald, Nelson, Philips, Stewart, Tipman, Singer, Speaker; 22,
On motion of Mr Phillips the vote by which the bill defining the boundary of Lander County was indefinately postponed, was re-considered,
Mr Blagett moved the rules be suspended and the bill placed on its final passage, Ayes, Bonnifield, Blagett, Dixson, Elliott, Lyon, Hunter, Jones, Nelson, Phillips, Stewart, Tipman, Singer, Speaker 13, Nays, Barclay, Calder, Cowles, Dean, Fisher, Heaton, Hess, McDonald, Park, 9,
A two-third being required the motion was lost,
On motion of Mr Simmons, the Bill was referred to the Lander, Lyon & Churchill delegation,
Message from the Governor
Executive Department
Territory of Nevada
Carson City Feb 20th 1864
To the Honorable the House of Representatives of the Territory of Nevada
I have this day signed and approved Bills of the following titles, which originated in the House, viz, An Act granting to Moses P. Hayes and associates their heirs and assigns the right to construct and maintain a toll road from Clifton to the town of Amador,
An Act to grant to Jas Kingsbury and others, the right to construct and maintain a toll road in Roop County,
An Act to authorize James McClure and J. P. McClellan to keep and maintain a toll bridge, at a point known as the Upper Sink crossing of Old River in Churchill Co,
An Act to amend an act entitled an act to provide for the election of Probate Judges

and prosecuting Attorney, and defining their duties. Approved Dec 19th 1864

An Act to increase the salary of the Probate Judge of Ormsby Co

An Act to authorize Alex Ash his associates and assigns to construct a toll road

An Act to amend an act entitled an act relating to game and fish. Approved Jan 21 1864

An Act providing for increasing the salary of the Probate Judge of Storey Co

John W Ayer
Journal Clerk

Message from the Council

Council Chamber
Feb 20th 1864

Mr Speaker

I herewith return to your Hon body Council Bill No 54 An act amendatory of an act to provide for the election of Probate Judges and Prosecuting Attorneys and defining their duties. The council have concurred in all the amendments of the House except that relating to Ormsby County, and amend by inserting after the words "Ormsby County," the words "Two thousand dollars."

The question was taken on concurring in the council amendment, Ayes Mess 1 Stevens, Bonnifield, Calder, Delaguette, Elliott, Fisher, Gillespie, Gow, Heaton, Hunter, Jones, Nelson, Phillips, Stewart, Unger & Mr Speaker, 15. Lost!

Message from the Council.

Council Chamber Feb 20th 1864

Mr Speaker

I have the honor to return to your Hon body House Bills No 22 & 91 the same having passed the council this day. Also House Bills No 169 & 132 the same having been indefinitely postponed! Also House Bill No 98 Substitute for Council bill No 125 the same having passed the council this day.

A Fruttson
Asst Sec

House Bills No 228, 91 & House Bill No 98 Substitute for Council Bill No 125 ordered enrolled

Message from the Council

Council Chamb Feb 20th 1864

Mr Speaker

I herewith transmit to your Hon body Council No 214 An Act to legalize certain proceedings made under the laws of the territory of Utah prior to the organization of Nevada Territory

P G Clark
Sec

On motion of Mr Clagett the rules were suspended and Council bill No 214 was read a third time and passed

Ayes Messrs Bournfield, Calder, Clagett Elliott Ferguson, Heaton, Hess, Hunter Jones, Nelson Phillips, Mr Speaker 12,

Nays, Fisher Gillespie - 2

Council Bill No 143 An Act to provide the several Co Clerks of the Territory with a Seal! read a third time & passed,

Ayes, Calder, Dean Elliott, Fisher Gillespie Ferguson, Heaton Hess Hunter Jones Nelson Phillips Stewart Tingey & Speaker 15

Nays none

Council bill No 157 An Act to provide for the election of delegate to Congress! read a third time & passed,

Ayes Bournfield Clagett Dean, Elliott Fisher Gillespie, Ferguson Heaton Hess, Hunter Jones Nelson, Phillips, Tennant Tingey, Mr Speaker 17,

Nays none

Council bill No 117 An Act concerning the duties of the Co Recorders of the several Co read a third time and passed,

Ayes Bournfield, Calder Dean, Elliott Fisher Gillespie, Ferguson Heaton Hess Hunter Jones Nelson, Stewart Tank Tingey Speaker 16,

Nays none
On leave Mr Heaton introduced a Bill Entitled An act to repeal an act Entitled an act to incorporate the Nashoe Mining Agricultural and Mechanical Society, read first & second time, Mr Gillespie moved the bill be referred to the Committee on Agriculture Lost
On motion of Mr Simmons bill read a third time and passed.
Ayes Brumfield, Clagett, Dean, Elliott, Fisher, Geo. Heaton, Hess, Jones, Nelson, Phillips, Stewart, Tennant, Unger, Speaker 15
Nays Barclay, Gillespie, Calder

Message from the Governor
Territory of Nevada
Executive Department
Carson Feb 20th 1864
To the Hon the House of Representatives of the Territory of Nevada
I have this day approved a Bill of the following title, "An Act to provide a fund for the Fire Department of the City of Virginia"
James W Nye
Geo Nevada Territory
Mr Stewart moved the rules be suspended and Council Bill No 115. be considered Lost — Mr Dixson from the Special Committee composed of the Lander & Lyon & Churchill Delegations, reported the bill, enlarging the boundaries of Lander County, complete, the Bill was then read a third time and passed Ayes — Messrs. Barclay, Brumfield, Calder, Clagett, Cutler, Dean, Dixson, Elliott, Fisher, Gillespie, Gove, Heaton, Hess, Hunter, Jones, McDonald, Phillips, Stewart, Tennant, Trask, Unger & Mr Speaker, 22, Nays — none —
Council Bill No 168, "An act to amend an act Entitled an act to prohibit gambling"

Mr Simmons moved the Bill be indefinitely postponed Lost—
Mr Simmons moved the Bill be laid on the Table— ayes— Messrs Brumfield, Calder, Clagett, Cooler, Dean, Hess, Jones, McDonald Nelson, Stewart, Lemmant, Hook, & Mr Speaker— 13— Nayes— Messrs Barclay, Elliott, Fisher, Gillespie, Gove, Heaton, Hunter, Phillips & Unger— 9— Carried—

Council Bill No 122, "An Act to prevent Disloyal persons from holding Offices, or Franchises in this Territory" On motion of Mr McDonald the Bill was indefinitely postponed

Message from the Council

Council Chamber Feb 20th 1864

Mr Speaker

I am instructed by the Council to request the Assembly to return to the Council the Bill in relation to Agricultural Affairs the same being Council Bill No 50—

A. Whitford Asst Sec— Council Bill returned—

Mr Lemmant reports that the Standing Committee On Enrollment have delivered the following Entitled Bills— to his Excellency the Governor for his Approval on the 20th Inst— viz:—

"An Act to provide payment for certain expenses incurred by the Constitutional Convention" "An Act to provide a Fund for the Fire Department of the City of Virginia"

An Act granting to M. P. Hayes and Frank Perkins, and their associates heirs and assigns the right to Construct and maintain a Toll Road from

Carson City Lander Co. to the City of Austin in said Co." "An Act to authorize Jos Faulkner his associates and assigns to construct and maintain a Toll Road" "An Act authorizing Thos. J. B. Martino and A. P. Cottin to establish and maintain a Toll Road in the County of Lander." "An Act Amendatory of an act to amend an Act in relation to the Militia of the Territory of Nevada." Approved Nov 28th 1861

"An Act granting to D. E. Hunter and associates the right to construct a Toll Road from the town of Como to Carson River at or South of Empire City and to authorize the construction of a Bridge or Ferry across said River" "An Act enlarging the boundries of Lander County and defining the same"

"An Act to encourage Enlistments and give bounties and Extra pay to our Volunteer Soldiers" "An Act to provide for the payment of the per-diem of Charlie Carter" "An Act to regulate the finances of Ormsby County" "An Act to amend an Act entitled an Act creating Boards of County Commissioners and defining their duties" "An Act for the Encouragement of mining"

Message from the Council

Council Chamber Feb 20th 1864

Mr Speaker

I have the honor herewith to transmitt House Bill No 210 "An Act to regulate the finances of Ormsby County" the Council having seen fit from its Amendments - Bill transmitted to the Governor -

Message from the Council

Council Chamber Feb 20th 1864

Mr Speaker

I am instructed to inform the Assembly that a Bill having become

a law fixing the Salary of the Washoe County Attorney, The Council ask the Concurrence of the Assembly in their amendment to Assembly Bill No 145 to strike out Washoe County and fix the Salary of the Attorney for Ormsby County at ($2000) Two Thousand dollars per Annum. A. Whitford Asst Sec Council

On motion of Mr Brumfield a Committee of Conference was appointed to confer with a like Committee of the Council, Messrs Brumfield Jones & Heaton were appointed on said Committee

On motion of Mr Heaton the House took a recess until 7 o'clk P.M

Evening Session

House Called to order at 7 O'Clock P.M.

Message from the Council

Council Chamber Feby 20th 1862

Mr Speaker —

I have the Honor to return House Bill No 235, An Act to repeal an act entitled An Act to incorporate the Washoe Agricultural Mining and Mechanical Society —

The same having been rejected by unanimous vote

Respectfully A. Whitford Asst. S.

Message from the Council

Council Chamber Feby 20 1862

Mr Speaker

I herewith transmit to your Hon Body House Bill No 224 — the same having passed the Council without amendment

Bill ordered enrolled —

Message from the Governor

Territory of Nevada
Executive Department Carson Feby 20th 1864.
To the Honorable House of
Representatives of the Territory of Nevada.
Herewith returns
without my approval a Bill entitled
An Act to incorporate the Virginia and
Crystal Peak Railroad Company
I withhold my approval for two rea-
sons first the Bill if approved
would be valueless in the hands of
the Incorporators by one of its own
provisions. I refer to the latter
clause of section first which reads
as follows — "provided the said
road shall not run between any
points named in — and shall not
interfere with the provisions of any
Act granting a Rail Road franchise."
It will be seen by reference to
the laws of 1862 Page 168. that by
the Provisions of "an Act" to incorporate
the Virginia and Truckee Rail Road
Company approved Dec 20th 1862.
That a franchise was granted be-
tween Virginia City xxxxx by the
most practicable Route by the
way of Washoe City to whatever
point the said Company may se-
lect on the Truckee River thence
from said point in a westerly di-
rection to the Boundary line — be-
tween this Territory and California.
It is apparent that the route
starts from the same point and
ends at or near the same point,
or at least would have to go side
by side with the before Chartered
Road for several Miles on the Truckee
River until it reached the State line
of California which by the terms of
the Bill would render it inoperative —

The only result would be a long and tedious litigation between the two Companies tending to delay if not absolutely defeat the Completion of this most needed work — I think no one can fail to see, it is a plain infringement upon the rights of the Company holding the former Charter.

Again the Bill under Consideration authorizes the Construction of several miles of road without the Boundaries of the Territory thereby apparently Conferring a power to Construct a Rail Road where the Legislature have no Jurisdiction which of itself would be sufficient to withhold my approval, from the number of private franchises granted Clearly within our Territory I deem it unnecessary to invade the jurisdiction of a neighboring State —

James W. Nye
Governor of the Territory of Nevada

Council Bill No 74 An Act to Compel witnesses to appear before the U.S. Land Commissioners, in contested Cases —

Mr Phillips moved the Bill be laid on the Table — Lost —

Bill Read a third time and passed —

Ayes Mess Barclay Brumfield Calder Clagett Curler Dean Dixson Elliott Fisher Gillespie Goor Heaton Hess Hunter Jones McDonald Stewart Tennant Trask Ulgar Mr Speaker — 21 — Nays Mr Nelson 1 —

Council Bill No 170 An Act

defining the boundary line between the Territory of Nevada and the State of California —

Mr Heaton moved it be laid on the Table — Lost.

Bill was Read a third time and passed —

Ayes Messrs Barclay Brumfield Calder Clagett Curler Dixon Elliott Fisher Gillespie Gov Heaton Hess Hunter Jones McDonald Nelson Phillips Stewart Tennant Trask Sugar Mr Speaker — 23.

Nays. None —

Mr Gillespie gave Notice he would at Eight O'Clock move to suspend third Reading of Bills —

On leave Mr Gillespie offered the following Resolution —

Resolved — By the House the Council Concurring that the officers of the Washoe Agricultural Mining and Mechanical Society Made and they are hereby granted leave to publish a Report in pamphlet form of their proceedings and the Condition of the Society financially and further that the expense of printing the same shall be paid out of the Territorial Treasury the same do other extra printing —

Mr Nelson moved the Resolution be laid on the Table

Mr Fisher moved to amend by striking out that part relating to the payment of the printing by the Territory — Carried —

Mr Gillespie moved the Resolution be laid on the Table — Lost.

Resolution adopted —

as amended —

Mr Stewart offered the following Resolution —

Resolved — That each member of the House before its adjournment deposits with the Clerk the sum of Three Dollars for the benefit of Master Ashaw — for his services in reporting the proceedings of this House — Adopted

Council Bill An Act to regulate fees and Costs —

Laid on the Table —

On leave Mr Barclay introduced a bill entitled An Act to provide a salary for the Probate Judge of the County of Nye.

Mr Barclay moved the rules be suspended and the Bill placed on its final passage — Lost.

Council Bill No 132 An Act to Create a Contingent fund for the Auditor and Territorial Treasurer — was indefinitely postponed —

Message from the Council —

Council Chamber Feby 20th 1862

Mr Speaker —

I have the honor to transmit to your Hon Body the following Council Bill entitled An Act Amendatory of and supplemental to an Act entitled An Act to incorporate the Washoe Agricultural Mining and Mechanical Society — Approved Dec 19th 1862 —

The same having passed the Council this day

Rufus Atwhitford Asst. Secy

The Bill was read a first and second time — Amended — Read

a third time and passed —
Ayes Mesrs Barclay Brumfield
Calder Cleghett Curler Dean Dixson
Elliott Fisher Gillespie Gove
Heaton Hunter Jones McDonald
Stewart Tennant Frank — 18 —
Nays Mr Nelson — 1 —

Message from the Governor —
Territory of Nevada
Executive Chamber Feby 20th 1864
To the House of Representatives
of Nevada Territory
I have this day approved
and signed Bill which originated
in the House of Representatives
of the following titles "Viz".
An Act providing for a special
term of the District Court in Lyon Co.
An Act granting to M. P. Haynes
and Frank Perkins their heirs and
assigns the right to construct
and maintain a Toll Road —
from Carson City Ormsby Co to the
City of Austin in said Co —
An Act to authorize James Fauck-
ner his associates and assigns to
construct and maintain a Toll Road
An Act authorizing E. Dexter
J. M. Dexter and M. Baldwin to
construct and maintain a Toll —
Road in Esmeralda Co —
An Act authorizing Thos J. B.
Marriman and A. P. Rankin to esta-
blish and maintain a Toll Road
in the County of Lander
An Act amendatory of an act
to amend an act in relation
to the Militia of the Territory
of Nevada — Approved Nov 28th 1861.
An Act to grant the right
to D. E. Hunter to construct a Toll

road from the town of Como in Palmyra Dutrich in the Co. of Lyon to Carson River at or South of Empire City, and to authorize the construction of a Bridge or Ferry across said river —

James W. Nye
Governor of the Territory of Nevada —

House Bill No 58. An act amendatory of and supplemental to an act entitled An Act to provide for Elections and the Mode of supplying vacancies approved Nov. 1st 1861 — Was read a third time and passed —

Ayes Mess. Barclay Brumfield Carter Dean Dixson Elliott Fisher Gillespie Gore Heaton Jones Nelson Stewart Tunnant Wagar 16.
Nays Mess. Clagett McDonald Phillips Mr Speaker — 4 —

On Motion of Mr Clagett Council Bill No 153. An act to incorporate the Masonic association at Austin was indefinitely postponed —

On Motion of Mr Phillips Council Bill No 113 — An act prescribing the rules and regulations for the execution of the trust arising under the act of Congress entitled An Act for the relief of citizens of towns on lands of the U.S. under certain circumstances was indefinitely postponed —

On Motion of Mr Clagett, Council Bill No 82 An act prescribing and maintaining possessory Right of buying land in this Territory was indefinitely

postponed by the following vote—
Ayes Mess Barclay Brumfield
Calder Eldgett Elliott Fisher
Gillespie Gove Heaton Jones
McDonald Phillips Stewart
Tennant Trask Mugar and
Mr Speaker 17—
Nays Mess Curtin Dean Dixson
Hunter Nelson—5.

Council Bill No
12 to an act to prevent disloyal persons from voting in this Territory — Mr Barclay moved it be indefinitely postponed —
Lost. The Bill on its third read a third time and passed —
Ayes Mess Calder Curtin Dean
Dixson Elliott Fisher Gillespie
Heaton Hunter Jones McDonald
Nelson Phillips Stewart Tennant
Trask Mugar — 17—
Nays Mess Barclay Brumfield
Delaplit Mr Speaker — 4—

Message from the Council
Council Chamber May 20th 1864

Mr Speaker —
I herewith transmit
House Bill No 58 an act relating to Elections — the same having passed the Council this day
Bill ordered enrolled —
Mr Heaton moved to reconsider the vote by which the Bill providing a contingent fund for the Territorial Auditor and Treasurer — was indefinitely postponed — Carried —
Mr Speaker stated the Bill was not in possession of the House —
On motion of Mr —

Mr Gillespie the Clerk was instructed to transmit a Message to the Council requesting that Hon Body to return the Bill providing a contingent fund for the Territorial Treasurer and Auditor.

Mr Tennant reports that the Standing Committee on Enrollment delivered the following entitled Bill to his excellency the Governor for his approval on the 20th inst.

An Act to encourage Mining

An Act Enlarging the Boundaries of Lander Co — and definitely defining the same

An Act to encourage enlistments and give Bounties and Extra pay to our Volunteer Soldiers —

An Act to provide for the payment of the Pr Diem of C. Carlin.

On Motion of Mr Barclay Council Bill No 23 an act to provide for a Miners Hospital in our Territory was indefinitely postponed.

On Motion House Bill No 226 an Act amendatory of Section 28 of an Act relating to the manner of Commencing Civil Actions — was indefinitely postponed.

Message from the Governor.

Territory of Nevada —

Executive Department

Carson City July 20th 1864

To the Hon the House of Representatives of the Territory of Nevada

I have this day approved and signed Bills of the following Titles which originated in

the House of Representatives. "Viz"

An Act to encourage enlistments and give Bounties and ex tra pay to our Volunteer Soldiers —

An Act to regulate the finances of Ormsby Co.

An Act to amend an act Entitled An Act Creating Boards of Co Commissioners and defining their Duties —

An Act to provide for the payment of the Jurors & witnesses of the late Charles Carter as Sergeant of the Assembly.

An Act authorizing Peirsander Pollock. P. S. Gregory. and A. A. Smith their associates and assigns to construct a Toll Road —

An Act for the Encouragement of Mining —

An Act Enlarging the Boundaries of Lander Co and definitely defining the same —

James. W. Nye.
Governor of the Territory of Nevada —

Mr Brumfield reported that the Committee of Conference have had under Consideration the Bill to provide for the salary of District Attorney in Certain Counties have amended the same by fixing the salary of the District attorney of Ormsby Co at ($1500) —

Signed W. H. Brumfield. A. Curry. S. E. Jones —

Report agreed to —

On Motion of Mr Elliott the further Consideration of Bills was dispensed with —

Mr Clagett read a Communication from Barrack Oshaw —

On Motion of Mr

Clagett the Communication was filed with the Papers of the House —
Mr Brumfield in the Chair —
Message from the Council —
Council Chamber July 20th 1864
Mr Speaker —
I herewith transmit to your Hon Body Council Resolution passed this day
Resp R. G. Clark Secy
Resolved —
That the House of Assembly be informed that the Council is now awaiting the action of the Assembly upon the unfinished Business of the Session —
And request the assembly to transmit to the Council any unfinished business requiring Concurrence —
On Motion of Mr Simmons the Clerk was instructed to inform the Council by message that the house has dispensed with the further Consideration of Bills —

Mr Tennant reports that the Standing Committee on Enrollment delivered the following enrolled Bills to his excellency the Governor for his approval on the 20th inst 1864
"P.3"
An Act Supplemental to and amendatory of an Act relating to Elections and the mode of supplying vacancies Approved Nov 1st 1861 —

Mr Stewart offered the following Resolution —
Resolved — That the thanks of the members of this House be and are hereby tendered to the

Hon. A. J. Simmons Speaker, for his gentlemanly, courteous, and impartial manner in discharging his duties at the present Session of the Legislative Assembly.

Unanimously adopted —

Mr Partridge offered the following Resolution —

Resolved — That the Thanks of this House be and are hereby tendered to the Chief Clerk W. E. Allen — and to the assistant Clerk E. M. Gregory for the efficiency and promptness they have displayed in the discharge of their respective duties —

Unanimously adopted —

Mr Stewart offered the following Resolution

Resolved — That the thanks of this House be and are hereby tendered to Paul Clemmens for his impartial manner in reporting the proceedings of this House and to T. M. Carson for the impartial manner in discharging his duties as Sergeant at Arms — Unanimously adopted —

Message from the Governor

Territory of Nevada
Executive Chamber Carson July 20 1861

To the House of Representatives of Nevada Territory

I have this day approved and signed a Bill which originated in the House of Representatives of the following title "Fig"

An act supplemental to and amendatory of an act relating to Elections and the mode of supplying vacancies — approved Nov 1st 1861 — J. W. Nye — Governor of the Territory of Nevada —

Mr Stewart offered the following Resolution

Resolved — That a committee be appointed to wait upon His Excellency Governor Nye and learn if he desires any further communication with the house before its final adjournment —

Unanimously adopted —

Messrs Stewart Phillips and Dean were appointed on said Committee —

Message from the Council

Council Chamber July 20th 1861

Mr Speaker.

I am instructed by the Council to inform your Hon House that the Council is now ready to adjourn Sine Die — Respy R. S. Clarke Secy Council

Mr Stewart reported that your Committee appointed to wait upon his excellency Mr Nye inquire of him if he had any further communication for the consideration of this house Report that we have discharged that duty and was informed by his Excellency that he had no further communica-

Caption to send — Signed
Nell Stewart — Phillip. Quid Dean —

Mr Elliott offered the following Resolution —
Resolved — That the House of Representatives do adjourn at 12 o'clock. M, Sine Die —
Adopted —

At 12 o'clock. Midnight, the Speaker declared the House adjourned Sine Die —

We the undersigned do certify that we have examined the Journal of the Third Session of the Legislative Assembly and found the same Correct — Carson City Feby. 22" 1864 —

T. J. Finney
Speaker
H. E. Allen
Chief Clerk
E. M. Gregory
1st Clerk